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1ST SESSION OF THE 97TH CONGRESS

SUBMITTED BY

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MAJORITY LEADER
U.S. SENATE

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THE YEAR-END REPORT OF THE FIRST SESSION OF THE NINETY-SEVENTH CONGRESS

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THE HONORABLE HOWARD H. BAKER

MAJORITY LEADER, UNITED STATES SENATE

FOREWORD

"America is changing hands," wrote political journalist David S. Broder in his 1980 book, *Changing of the Guard*. "In the 1980's, the custody of the nation's leadership will be transferred to a new set of men and women."

Nowhere has this changing of the guard been more dramatic than in the United States Senate. Of the Senators who serve in the 97th Congress, a solid majority—54—are in their first full term of office; and 79 Senators have served two full terms or less. Nothing like this has happened since the late 1940s, when the postwar generation took over the reins of political leadership.

Few changes in great institutions are instant, or occur overnight. Nonetheless, 1980 gave added impetus to the transition by providing the Republican Party, for the first time in a generation, with the opportunity to lead a body of the Congress.

The challenges confronting this "new" Senate are many: unleashing the energies of our economy, taming the government bureaucracy, defending the American way of life and working toward world peace. They are challenges that every political generation must cope with in one way or another. In addition, the new Senate faces its own unique set of challenges: inflation and economic stagnation at home, confusion and uncertainty abroad, and a sense that we must renew our historic values.

In facing up to these challenges, the new Senate struggles to find its own set of answers and to reassure the American people that our instruments of government can be forthright and responsive.

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INTRODUCTION

A. BRIEF HISTORY

> "The Senate is a school. The world's history is its text book. The record of a single day's proceedings frequently shows a range of work as wide as Christendom. No man well made up can be there long, if he will but listen, without himself becoming wiser and better. His opportunities for usefulness multiply as the new days come to him; his intellectual horizon expands, his view broadens and he grows stronger."
>
> —Senator W. A. PEFFER, August 1898.

Since this is the first time in twenty-six years that the Republican Party has had the opportunity to report, as the Majority, on the year's activities of the Senate, I think it is appropriate to recall briefly the previous periods in which Republicans stood in the majority.

In the past one hundred and twenty years there have occurred seven transitions of party control in which Republicans have taken the majority in the United States Senate. These transitions happened during periods of grave national crisis: at the onset of the Civil War and at the conclusion of the two World Wars, and in periods of economic turmoil, ranging from depression to runaway inflation. Historically, we measure the stature of our political parties and leaders by their success in meeting the challenges that they faced.

The first Republican Senate convened on July 4, 1861, having been called into special session by President Lincoln to meet the challenges of secession and civil war. The Republican Party was barely six years old when it captured the presidency and both houses of Congress, under the rallying cry of Free Soil, Free Men and Free Labor. The demands upon Congress were awesome: eleven states had separated from the Union; the first military campaign at the Battle of Bull Run on July 21, had ended in a disastrous rout of Union forces; other nations abroad were carefully observing divisiveness in the United States for their own advantages. The future of the nation looked grim indeed. But the 37th and 38th Congress rose to meet those challenges, funding an army which eventually proved triumphant in combat, establishing a national banking system to promote a sound economy, passing a Homestead Act to encourage western agricultural expansion and capping these efforts with passage of the 13th Amendment to abolish slavery in the United States. The efforts of those wartime Congresses contributed significantly to the Republican Party's continuation in the majority in the United States for eighteen years, until 1879.

There was no such national emergency when Republicans again won control of the Senate in 1881, but during that period the party built its reputation on an anti-inflationist "sound money" policy. Advocating the gold standard and tariffs to protect developing American industry, the Republican 47th Congress also enacted the nation's first civil service reform legislation, following the tragic death of President James Garfield—one hundred years ago—at the hand of a dissatisfied office-seeker. Although the House often had Democratic majorities, the Senate remained Republican until 1893.

A terrible depression brought Republicans back into control of the Senate and House in 1895. The "Panic of 1893" had brought about general economic collapse, a stock market crash, business failures and massive unemployment. Republicans campaigned and won on a strong economic platform calling for higher tariffs to restore employment, protect wages and raise farm prices, and for "hard currency" in opposition to the "free silver" demands of inflationists. The return to prosperity that followed helped ensure Republican majorities in the Senate for another two decades. This was a period of great industrial expansion and technological innovation at home and spreading American influence overseas—years which we recall now as a "Progressive Era."

Voter frustration with wartime economic controls, inflation, higher taxes and increasing American involvement in European affairs brought the next transition to a Republican Senate in 1919, immediately following American participation in the first World War. Election of the Republican 66th Congress was followed by the election of three consecutive Republican presidents and a decade of unprecedented prosperity. But having won credit for the prosperity of the 1920s, the Party also endured the blame for the crash and depression that followed, losing its Senate majority in the election of 1932.

Not until after World War II did the voters return a Republican majority to the Senate. Again, an unsettled economy was the chief issue, as inflation raged after wartime wage and price controls were lifted. When meat prices rose, the New York *Daily News* headlined its story, PRICES SOAR, BUYERS SORE/STEERS JUMP OVER THE MOON. Campaigning under the slogan "Had Enough?" Republicans recaptured the majorities in the Senate and the House for the first time since the beginning of the New Deal.

The Republican 80th Congress is perhaps the most famous Congress of the twentieth century. The first to follow the Legislative Reorganization Act of 1946, it is often called the "First Modern Congress," despite the fact that President Truman branded it a "Do-Nothing Congress." On the contrary, the 80th Congress left behind an impressive record. In foreign policy, the Republican Senate endorsed the Truman Doctrine for emergency aid to Greece and Turkey to contain Communism, it enacted the European Recovery Program (the Marshall Plan) to rebuild European allies, and it adopted the Vandenberg Resolution, which paved the way for American participation in NATO and other collective security agreements. Just as Senator Arthur Vandenberg was the foremost Republican spokesman in the Senate, Senator Robert Taft dominated domestic policy. Author of the most significant domestic legislation of the 80th Congress, the Taft-Hartley Labor Act, Senator Taft did not formally hold the title of Republican leader at this time, although he was popularly recognized as "Mr. Republican." The *New Republic* commented on his influence by noting that "Congress now consists of the House, the Senate and Bob Taft."

The most recent Republican Senate, the last before the current session, began in the final months of the Korean War and coincided with the first election of President Dwight D. Eisenhower. Among the first priorities of the 83rd Congress were tax reductions and reform, and it also adopted President Eisenhower's program for flexible price supports and expansion of the Social Security system. But the Republican program was limited by the narrowness of the party's "majority," which after several deaths and appointments was not a majority at all: 47 Republicans, 48 Democrats and 1 Independent.

Near the close of the 83rd Congress, Republican leader William Knowland complained that he was operating "from a position in which no man has heretofore been asked to serve, a position in which I have the responsibilities of being majority leader in this body without a majority." Senator Knowland's Democratic counterpart, Senator Lyndon Johnson, immediately replied: "If anyone has more problems than a majority leader with a minority, it is a minority leader with a majority."

Such were the vicissitudes of Republican leadership of the Senate over the past one hundred and twenty years. As we have seen, the party has often received its mandate in moments of military and economic turmoil. Its historical standing, and its standing in the eyes of the American people—and voters—has depended upon its ability to meet those challenges. Surely the challenges that the 97th Congress has faced have been no less trying than those that confronted our predecessors. Just as surely we will be judged by our success in meeting them.

B. LEADERSHIP

> "Let everyone play the part he can play best, some speak, some sing, and all 'holler'."
>
> —ABRAHAM LINCOLN

Leadership of the United States Senate has evolved to a point beyond even the vision of no less a visionary than Thomas Jefferson, who once wrote, "The Lex Majoris Partis is the fundamental law of every society of individuals of equal rights; to consider the will of the majority enounced by the majority of a single vote, as sacred as if unanimous, is the first of all lessons in importance, yet the last which is thoroughly learned."

Today in the U.S. Senate, there are new refinements and complexities in the principle of "majority rule." Party numbers no longer translate into foregone conclusions, and nothing can be taken for granted. The inherent capacity of the individual Senator has perhaps never been greater.

Nevertheless, I consider my position as majority leader to be a uniquely fortunate one—a position imbued with historical resonance, yet at the same time beset by the challenges of effectively leading a body as diverse and ambitious as the Senate.

The majority leader cannot do his job alone; and in that regard, I would like to acknowledge the immeasurable contributions made by others.

To a degree unprecedented in recent years, the Republican leadership in Congress has been fortunate enough to join in productive partnership with the President of the United States and chart a common course.

President Reagan's numerous trips to Capitol Hill have been indicative of his eagerness to keep Congressional relations harmonious and productive. And, Pennsylvania Avenue has been anything but a one-way street during this Administration. I, along with many of my colleagues, have enjoyed frequent trips to the White House in addition to regularly scheduled weekly leadership meetings there. These meetings have enhanced the executive/legislative partnership and made the day to day business of government more efficient and more cohesive.

I have stated on the Senate floor on numerous occasions throughout the year, how fortunate I am to have served as minority leader while the distinguished Senator from West Virginia, Senator Byrd, served as majority leader. He was then, and is today in his capacity as minority leader, aware of the true nature of the Senate as an institution enraptured by tradition and precedent.

The distinguished minority leader has, by reason of experience and inclination, an understanding of the Senate that perhaps only service as the majority leader can bestow. He has been my partner, my colleague, and my friend, and I extend to him my deepest appreciation.

The Assistant Majority Leader, the distinguished Senator from Alaska, Senator Stevens, has also played a key role in the Senate's deliberations this year. His tireless efforts and professional determination have inspired and fueled key legislation, and he has made himself available to the leadership whenever it was required.

Senator Steven's counterpart, the distinguished assistant minority leader, Senator Cranston, has also played an instrumental role in the Senate's activities. He has been an admired foe, a dedicated party servant, and a political catalyst, and I wish to thank him for his assistance.

C. MANAGEMENT

> "We can think of the internal politics of the Senate not as a small group of powerful men surrounded by everybody else, but as a group which divides labor and power—unequally to be sure, but still significantly—among almost all of its members."
>
> —NELSON W. POLSBY from "Goodbye to the Inner Club"

When the 97th Congress convened, the Republicans formed a majority in the Senate with 53 Republican Senators, only two of whom were Members of the Senate when the Republican Party was last in control.

The first major transition since the advent of the modern professional staff era was an orderly and benign one, a dramatic transfer of influential power designed to coordinate and enumerate the goals of the new majority.

In organizing the Senate for their first time in a generation, Republicans found a committee structure that was overstaffed and excessively expensive. In December, 1980, the Republican Conference passed a resolution calling for the incoming Congress to make a ten percent reduction—a real cut, divorced from indexing for inflation—in committee expenses from funds available in that calendar year. Accordingly, when the committee funding resolutions were presented at the beginning of the session, Republicans led the way in engineering the ten percent reduction, thus trimming the operational costs of the Senate.

Certain key determinations made early in the session helped shape much of the year to come. Among those decisions was a judgment not to pursue any major changes in Senate Rules. Throughout the last three decades, the beginning of a new Congress was usually marked by vigourous and substantial efforts to change Senate Rules. Although some of these proposals were adopted to respond to real needs, others were more far-reaching and amounted to unwarranted tinkering with Senate procedure. These biennial controversies over the rules subjected several new Congresses to fractious beginnings, and it was the intention of the leadership that the 97th Congress not be marred by disputes arising from unnecessary attempts to amend and redirect the rules.

Most of the proposed changes in Senate Rules in recent years sought to chip away at the prerogatives accorded to the minority or the individual Senators. After serving in the minority for most if not all of their Senate careers, the leadership was sensitive not to continue this trend. In reviewing suggested amendments to the Rules, the leadership began from the premise that only those changes as were absolutely vital to the modern operation of the Senate should be promoted, concluding that no such amendments were required and that the Senate, and its majority and minority parties, could function effectively within the existing procedural frame-work. Accordingly, the question of a rules change was put to rest.

Instead, the leadership focused on proposals intended to advance efficiency in Senate operations and planning: establishing a floor schedule early in the year that allowed committees maximum opportunity to conduct their business, and confining late night sessions, when necessary, to Thursday evening throughout much of the year.

The leadership also announced a decision that certain emotionally charged social issues—abortion, busing, school prayer—be set aside temporarily and that priority be given to enactment of President Reagan's Economic Program.

D. SUMMARY OF MAJOR ACCOMPLISHMENTS

> The true legislator ought to be acquainted not only with what is best in the abstract, but also with what is best relative to circumstances.
>
> —ARISTOTLE

In the first session of the Ninety-Seventh Congress, the Senate compiled a signal record of accomplishments in domestic and foreign affairs. The Senate kept its commitment to reduce Federal spending significantly over the next three years and approved an omnibus reconciliation package that will cut spending by $35.1 billion in fiscal year 1982. The Economic Recovery Tax Act of 1981, approved by the Senate in August, cut individual tax rates by an average of five percent in 1981 and by an average of 23 percent by 1983.

In December, the Senate moved to strengthen the nation's defenses when it appropriated $208 billion for military spending. The Senate also approved the President's sale of AWACs radar planes and other arms to Saudi Arabia. The Senate-passed agricultural bill will spend about $23 billion on farm and food programs over the next four years; this measure is still awaiting final action by a House-Senate conference committee.

THE BUDGET AND RECONCILIATION PROCESS

In order to put into effect the President's determination to cut Federal spending, Congress relied upon the relatively new legislative process of reconciliation. This procedure, authorized by the Congressional Budget and Impoundment Act of 1974, enabled Congress to achieve major savings in Federal spending through a single measure, rather than a number of bills affecting spending and budget authority and outlays. The procedure enabled each spending adjustment to be viewed in light of other proposed cuts and prevented weakening of the program by piecemeal attack.

Under the leadership of Senate Budget Chairman Pete Domenici of New Mexico, the Committee took a detailed inventory of the projected 1982 budget and voted unanimously in March to endorse President Reagan's call for major spending reductions. The full Senate substantially approved a $39.6 billion reconciliation package, which reflected a policy of spending restraint in accordance with instructions given to authorizing committees. The Appropriations Committee under the able and diligent leadership of its chairman, Mark Hatfield, reported significant reductions in direct spending, which were encompassed in a major supplemental Appropriations Act, PL 97-12 signed into law by the President on June 5, 1981.

This cooperative effort to limit Federal spending brought to an end an era of extravagance that had carried the country to the brink of fiscal bankruptcy. And, it further provided the President

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with one of the two components vital to his economic recovery plan.

ECONOMIC RECOVERY TAX ACT OF 1981

The passage of the tax cut plan, the other component of the President's economic recovery package, guaranteed American wage-earners and businesses the largest tax reduction in history. Fueled by the efforts of the Chairman of the Senate Finance Committee, Senator Dole, the Senate completed action on its version of the bill in late July; and after differences with the House were resolved, the measure was quickly approved and signed by the President in early August.

The measure provided a progressive tax cut of five percent across the board in individual tax rates that went into effect October 1 and will cut an additional ten percent in 1982 and a final ten percent in 1983. The maximum rate on capital gains was reduced from 28 to 20 percent, thus providing relief for the small investor and encouraging additional investments and industrial growth.

Married couples earning two incomes were at last provided substantial relief from the so-called "marriage penalty" and now can deduct five percent of up to $30,000 (a maximum deduction of $1,500) of the lesser of their two incomes. This deduction will increase to ten percent (a maximum of $3,000) in 1983. Relief for moderate income parents was provided by increasing to 30 percent from 20 percent the tax credit for child and dependent day care expenses. Additionally, the Act increases the maximum amount of expenses eligible for the credit from $2,000 to $2,400 for one dependent and from $4,000 to $4,800 for two or more dependents.

Homeowners who are faced with buying and selling homes in today's depressed housing market were provided relief through an extension from 18 months to 24 months in the period an individual is allowed to defer taxes, or proceeds from the sale of a primary residence, if that money is used to buy another home at the same or greater cost. Further, the one-time exclusion from tax of capital gains from the sale of a home by those aged 55 and over was increased from $100,000 to $125,000.

The tax plan provides a number of incentives to business to get the wheels of American industry rolling again. The system of depreciating assets was simplified to allow businesses to write off the value of assets at an accelerated rate. Small businesses are now allowed "expensing," or the immediate deduction of the cost of new or used machinery. The investment tax credit for the rehabilitation of old buildings was increased. Businesses now get a tax credit of up to 25 percent for new spending on research and development above and beyond the average annual amount spent on such activities over the three preceeding years.

Savings incentives were added to encourage individuals to put more of their earnings into American investments. Individual Retirement Accounts (IRA) are now available to everyone who works and self-employed Retirement Plans (Keogh) now allow an individual to deduct $15,000 (up from $7,500) in tax-free contributions.

DEFENSE APPROPRIATIONS

In December, Armed Services Chairman, Senator Tower led the Senate fight to reverse the trend towards cuts in the military budget by approving a $208 billion spending bill. This increase in defense spending comes at a time when the United States is faced with global challenges that pose a greater threat to our internal security than at any previous time in our history.

The Senate bill provided $4.8 billion for a military pay increase and about $2.4 billion for the B–1 bomber. Mindful of the enormous cost overruns that threaten the credibility of military procurement requests, the Senate bill required close scrutiny of the B–1 bomber program and held it to a high level of accountability.

The conference agreement which was reached on H.R. 1995, the Defense Appropriation Bill for 1982 appropriates $199,691,264,000 for the military services and the Defense Department agencies and for intelligence activities. This amount is $2,247,975,000 above the House allowance and $8,984,481,000 below the Senate total. It is $1,186,970,000 below the budget estimates.

Senate Conference Report Chairman, Senator Ted Stevens of Alaska, paved the way for major changes to be adopted by the conferees. Conferees approved a Senate increase of $300 million to be allocated to the Coast Guard for ship construction and other capital equipment needs, and overall shipbuilding and conversion were also increased $372 million over the House allowance. Senate bill language designed to control B–1 bomber costs and MX missile basing was approved without change. Nearly $250 million in increased funding for National Guard and Reserves equipment and supplies were authorized under the conference agreement; this increase strengthens Reserve components by nearly $50 million.

The $4.8 billion for pay costs and $1.6 billion for inflation approved by the Senate were dropped from the bill. These unbudgeted costs are to be considered in a supplemental-appropriations bill under the conference agreement. The conferees also agreed to a House reduction of nearly $500 million based on adjusted fuel costs projections.

AWACS

American interests in the Middle East were strengthened when, under the guide of the Senate Foreign Relations Committee Chairman, Senator Percy, the Senate approved the President's sale of AWACs radar planes and other arms to Saudi Arabia. The vote came after a comprehensive debate in the best tradition of the Senate as a deliberative body, focusing the nation's attention on the status and future of American policy in that critical area. The $8.5 billion sale of the highly sophisticated aircraft will enable the Saudis to exercise effective control over incursions across their borders and constitutes a clear message to aggressors that the United States is committed to the security of its allies in the region. The judicious use of the AWACs is insured by agreements under which the Saudis will share all information gathered by the planes with the United States, desist from sharing the planes or their information with any third world country, and operate the planes only over Saudi airspace unless the United States gives its consent to do otherwise.

AGRICULTURE APPROPRIATIONS

The Senate, led by the Agriculture Committee Chairman, Senator Jesse Helms, approved in early December, the 1981 Farm Bill conference agreement. This omnibus agricultural legislation provides for price protection and market stability for farmers through traditional price support and target price programs. The 1981 Farm Bill, as agreed in Conference between the House and the Senate, has an estimated total cost over four years of $11 billion. This compares to the Senate-passed version of $10.6 billion and the House version with a total cost of $16.6 billion.

The bill includes numerous other programs, including export embargo protection, soil conservation incentives, agricultural research, extension and teaching programs, a farmer-owned grain reserve program and a one-year extension of the food stamp program.

Additional features of the bill include continuing authority for disaster payments made when drought, flood or other physical disasters prevent planting or reduces crops below certain levels (This assistance would be provided if Federal Crop Insurance is not available in the affected country or under other conditions.); a revised peanut price support program; and a sugar price support program.

In late October, the Senate approved a $23 billion appropriations measure that will provide assistance to the nation's agricultural producers through a variety of programs. The final measure, still awaiting final approval of the Conference Report, includes a number of provisions that will benefit both farmers and consumers.

RECONCILIATION

> "I consider the fortunes of our republic as depending, in an eminent degree, on the extinguishment of the public debt."
>
> —THOMAS JEFFERSON

OMNIBUS BUDGET RECONCILIATION ACT OF 1981

On February 18, 1981, President Ronald Reagan submitted to Congress a multiyear program for economic recovery comprising substantial reductions in the growth of Federal spending and taxes, regulatory relief, and a restrictive monetary policy. Under the Reagan proposals, budget outlays would be cut by more than $200 billion during fiscal years 1982 through 1984. The outlay reductions would be offset partially by increases in defense spending during the same period.

On May 21, the House and Senate completed action on H. Con. Res. 115, the first budget resolution for fiscal year 1982. The budget resolution accommodated in large part the Reagan proposals, targeting significant reductions in nondefense spending and tax rates along with increases for defense spending. Furthermore, Congress committed itself to quick action on these proposals in order to effectively meet the serious economic problems confronting the Nation.

In view of the magnitude of the task of reducing nondefense expenditures, it was immediately apparent that the actions of many different House and Senate committees would need to be coordinated. Congressional leaders decided to employ special reconciliation procedures that had been used successfully in 1980. The first budget resolution assumed that Congress would reduce budget authority by $50.7 billion and outlays by $35.1 billion in fiscal year 1982. Furthermore, the budget resolution three-year (fiscal years 1982 through 1984) savings of $174.3 billion in budget authority and $137.0 billion in outlays. The budget resolution also assumed that additional savings would be achieved, largely through the appropriations process.

THE RECONCILIATION PROCESS

Reconciliation is a two-step process designed to bring existing laws into conformity with current budgetary decisions. The first step involves the adoption of a concurrent resolution on the budget containing reconciliation instructions. In the instructions, designated committees are directed to submit to the Budget Committees by a specified deadline legislative recommendations changing existing laws (or pending legislation) under their jurisdiction. Each committee is assigned targets for the spending decreases (or revenue increases) which must be achieved, but the instructions do not mention specific programs.

The second step is the enactment of an omnibus bill (or resolution, or both) incorporating the legislative recommendations of the instructed committees. Once all recommendations have been received, the Budget Committees report them in the form of an omnibus bill (If only one House or Senate committee is instructed to recommend changes in law, then that committee reports them directly to its House; the Budget Committees become involved only when more than one committee in each House is so instructed.) The Budget Committees perform only a ministerial function in this regard—Section 310 of the Congressional Budget Act forbids them from making any substantive revisions in the recommendations submitted by the other committees.

In the Senate, reconciliation measures are considered under special procedures which expedite their consideration. These procedures include a limit on the time available for debate and a requirement that amendments be germane.

THE OMNIBUS BUDGET RECONCILIATION ACT OF 1981

On July 31, less than three months after the first budget resolution was adopted, the House and Senate completed action on H.R. 3982, the Omnibus Budget Reconciliation Act of 1981. Two weeks later, on August 13, President Reagan signed the measure into law as Public Law 97-35. According to estimates provided by the Congressional Budget Office, the fiscal year 1982 savings enacted by Congress ($51.9 billion in budget authority and $35.2 billion in outlays) exceeded the levels in the reconciliation instructions. Over the three-year period, the savings amounted to $169.3 billion in budget authority and $130.6 billion in outlays. The reconciliation process, with its emphasis on the coordination and integration of committee activities and the expediting of floor consideration, made this important achievement possible.

LEGISLATIVE HISTORY OF PUBLIC LAW 97-35

A detailed narrative of the steps leading to the enactment of Public Law 97-35 is provided below.

House and Senate Action on the First Budget Resolution

The Senate began consideration of reconciliation instructions at an accelerated pace when the Senate Budget Committee reported S. Con. Res. 9 (Senate Report No. 97-28) on March 23, 1981. The measure would have revised the second budget resolution for fiscal year 1981 (adopted toward the end of the 96th Congress) by imposing fiscal year 1981-1983 reconciliation instructions on selected committees. After six days of debate, the Senate adopted S. Con. Res. 9 on April 2.

The House Budget Committee reported H. Con. Res. 115 (House Report No. 97-23), the first budget resolution for fiscal year 1982, on April 16. The resolution contained reconciliation instructions for fiscal years 1982-1984. H. Con. Res. 115 was adopted by the House on May 7, after six days of debate. In the Senate, the Budget Committee reported S. Con. Res. 19 (Senate Report No. 97-49), the first budget resolution for fiscal year 1982, on May 1. The Senate adopted the measure on May 12, following four days of debate. S.

Con. Res. 19 incorporated the fiscal year 1981-1983 reconciliation instructions of S. Con. Res. 9, which the Senate had adopted previously, and added further instructions for fiscal year 1984.

On May 15, the committee of conference on H. Con. Res. 115 filed its report (House Report No. 97-46). The House agreed to the report on May 20 and the Senate agreed to it on May 21. As finally adopted, Sections 301 and 302 of H. Con. Res. 115 instructed 15 House and 14 Senate committees to submit legislative recommendations which would reduce budget authority and outlays by specified amounts over the next several fiscal years.

Summary of House Action on H.R. 3982

On June 26, 1981, the House passed H.R. 3982, the Omnibus Reconciliation Act of 1981. The Act complied with the reconciliation instructions to House committees contained in Section 310 of H. Con. Res. 115.

H.R. 3982 was reported from the House Budget Committee on June 19 (House Report No. 97-158, volumes I-III). The bill consisted of the legislative recommendations for budgetary savings submitted by each of the 15 committees instructed by Section 301 of the budget resolution, except for the Energy and Commerce Committee, which did not submit any recommendations. Pursuant to the provisions of the Congressional Budget Act of 1974, the Budget Committee assembled the recommendations into an omnibus bill without substantive revision. The measure contained 15 titles, one for each of the instructed committees. In the case of the Energy and Commerce Committee, the title (Title VI) simply contained the reconciliation instructions for that committee.

On June 18, the Chairman of the Budget Committee introduced H.R. 3964, an alternative reconciliation bill. The measure was identical to H.R. 3982, except that it (1) incorporated into Title VI the legislative recommendations submitted by the Chairman of the Energy and Commerce Committee, (2) deleted specific reference under Title X to the closing of post offices, and (3) made certain technical changes.

The House began consideration of the bill on June 25. Immediately prior to debate on the bill, the House considered H. Res. 169, the "rule" reported by the House Rules Committee. H. Res. 169, as reported by the Committee, would have made in order (1) the text of H.R. 3964, as modified by an amendment printed in the *Congressional Record* of June 23 (see amendment of Mr. Jones on page H 3249), as an amendment in the nature of a substitute, (2) amendments to be offered by Representative Latta (in the form of a print of the Rules Committee), as specified in the rule, (3) an amendment of Representative Broyhill, Ranking Minority Member of the Energy and Commerce Committee, as an alternative to Title VI, as printed in the *Congressional Record* of June 24 (see amendment submitted by Mr. Jones on pages H 3306-H 3354), (4) one motion to recommit, and (5) one motion to recommit with instructions, as specified in the rule.

The version of the rule reported by the Committee was rejected, but H. Res. 169 later was adopted in amended form (as revised by an amendment in the nature of a substitute offered by Representative Latta and printed in the *Congressional Record* of June 25 on page H 3383). The amended rule made in order H.R. 3964 as an amendment in the nature of a substitute (see the *Congressional Record* of June 26, pages H 3616–H 3744), but without the modification inserted in the *Congressional Record* by Mr. Jones, and allowed Latta amendments to be offered en bloc (see the *Congressional Record* of June 26, pages H 3757–H 3805) and a Broyhill amendment (see the *Congressional Record* of June 26, pages H 3927–H3982) to be offered to the substitute, and a motion to recommit, with or without instructions (see the motion offered by Representative Schneider in the *Congressional Record* of June 26, pages H 3983–H 4031).

On June 26, the House adopted the amendment in the nature of a substitute (the text of H.R. 3964), as amended by the Latta amendments adopted en bloc; the Broyhill amendment was withdrawn; and a motion to recommit with instructions was defeated. Then, the House passes the bill, H.R. 3928, as amended.

H.R. 3982, as passed, contained 16 titles. All 15 titles of H.R. 3964 were incorporated into H.R. 3982 as passed, but titles I, III, V, X, XII, and XV were revised by the Latta amendments. The Latta amendments also added a new title, Title SVI, relating to block grants.

Summary of Senate Action on S. 1377

On June 25, 1981, the Senate passed S. 1377, the Omnibus Reconciliation Act of 1981. The Act complied with the reconciliation instructions to Senate committees contained in Section 302 of H. Con. Res. 115.

S. 1377 was reported by the Senate Budget Committee on June 17 (Senate Report No. 97–139). The bill consisted of the legislative recommendations for budgetary savings submitted by each of the 14 committees instructed by Section 302 of the budget resolution, except for the Appropriations Committee, which complied with its instructions by reporting H.R. 3512, the Supplemental Appropriations and Rescission Act of 1981 (Public Law 97–12). Pursuant to the provisions of the Congressional Budget Act of 1974, the Budget Committee assembled the recommendations into an omnibus bill without substantive revision. The measure contained 13 titles, one for each instructed committee (excluding the Appropriations Committee).

The Senate considered the bill from June 22 through June 25. Thirty-four amendments to the bill were adopted, 12 were rejected, and one was ruled out of order as being nongermane. All of the titles, except for Title VIII (Foreign Relations Committee), were amended on the floor. Sections 441–2 and 443–1 through 6 were stricken from the bill by a unanimous consent agreement (see the *Congressional Record* of June 25 at page S 7005). Other sections of Titles III and IV also were stricken by the agreement, but were restored when the Senate adopted Garn unprinted amendment number 200 and Packwood unprinted amendment number 201.

Conference Action

On July 13, the Senate passed H.R. 3982, after substituting the text of S. 1377 for the text of the House-passed bill, and requested a conference with the House. The following day, the Senate agreed to a motion instructing Senate conferees to insist that a particular funding level for the Head Start program be included in the conference report on the bill.

On July 15, the House disagreed to the Senate amendment to H.R. 3982, agreed to a conference, and adopted a motion instructing the House conferees on a provision relating to the authorization for Home Energy Assistance Block Grants.

The conferees, meeting in 58 subconferences, worked from July 15 through July 28 and submitted a conference report on July 29 (House Report No. 97-208; also, see the *Congressional Record* of July 29, volume 127, No. 116—part II, at pages H 5433-H 5730).

In the House, the conference report on H.R. 3982 ws considered July 31 under a "rule" (H. Res. 203) which also made in order the consideration of H.R. 4331, a measure to amend H.R. 3982 to restore the minimum social security benefit. The House adopted H. Res. 203, then passed H.R. 4331 and agreed to the conference report. On the same day, following the House action, the Senate agreed to the conference report, thus clearing the measure for the President. The Senate also sustained the Chair in ruling that a motion to proceed to consider H.R. 4331 was not in order.

On July 31, the House and Senate also agreed to H. Con. Res. 167, a measure directing the Clerk of the House to make corrections in the enrollment of H.R. 3982 (see the *Congressional Record* of July 31, 1981, volume 127, No. 119, at pages H 5835-H 5838).

TOTAL RECONCILIATION SAVINGS

[In billions of dollars]

	Fiscal year 1981		Fiscal year 1982		Fiscal year 1983		Fiscal year 1984	
	Budget authority	Outlay	Budget authority	Outlay	Budget authority	Outlay	Budget authority	Outlay
Conference agreement on Omnibus Budget Reconciliation Act (H.R. 3982)	−7.5	+0.1	−51.9	−35.2	−55.7	−44.0	−61.7	−51.4
Reductions in Supplemental Appropriations and Rescission Act (Public Law 97-12)	−14.7	−1.4		−2.2		−1.4		−1.0
Eliminate double counting between authorizing and Appropriations committees	+7.7	+.1		+.3		+.4		+.7
Total reconciliation savings, net	−14.5	−1.2	−51.9	−37.1	−55.7	−45.1	−61.7	−51.7
Total instructions to Senate committees, net	−14.7	−2.3	−50.7	−36.5	−57.6	−47.0	−66.0	−55.8

	Total fiscal years 1981-84	
	Budget authority	Outlay
4-year totals:		
Conference agreement on Omnibus Budget Reconciliation Act (H.R. 3982)	−176.8	−130.5
Reductions in Supplemental Appropriations and Rescission Act (Public Law 97-12)	−14.7	−6.0
Eliminate double counting between authorizing and Appropriations committees	+7.7	+1.4
Total reconciliation savings, net	−183.9	−135.1
Total instructions to Senate Committees, net	−189.0	−141.6

Note: Details may not add to totals due to rounding.

OMNIBUS BUDGET RECONCILIATION ACT (H.R. 3982)

[In millions of dollars]

Senate committee	Fiscal year 1981		Fiscal year 1982		Fiscal year 1983		Fiscal year 1984	
	Budget authority	Outlay	Budget authority	Outlay	Budget authority	Outlay	Budget authority	Outlay
Agriculture, Nutrition, and Forestry:								
Conference agreement	−97	−146	−3,858	−4,677	−4,556	−5,382	−5,545	−6,268
Senate-passed	−140	−163	−3,850	−4,167	−4,720	−4,560	−5,401	−5,254
Instruction to committee	−140	−163	−3,667	−4,024	−4,620	−4,443	−5,405	−5,246
Armed Services:								
Conference agreement	−68	−68	−846	−882	−767	−731	−374	−374
Senate-passed	−233	−233	−966	−966	−899	−899	−511	−511
Instruction to committee	−233	−233	−966	−966	−899	−899	−511	−511
Banking, Housing, and Urban Affairs:								
Conference agreement	−5,799	−97	−15,703	−737	−18,918	−2,001	−21,918	−3,804
Senate-passed	−5,991	−133	−13,779	−917	−18,883	−2,111	−22,774	−3,968
Instruction to committee	−5,846	−133	−14,498	−840	−17,450	−2,133	−20,341	−3,779
Commerce, Science, and Transportation:								
Conference agreement	+450	−25	−1,444	−1,001	−1,379	−1,016	−1,243	−1,160
Senate-passed	+255	−25	−1,433	−1,129	−1,761	−1,127	−1,956	−1,640
Instruction to committee			−1,658	−984	−1,798	−1,528	−1,765	−1,637
Energy and Natural Resources:								
Conference agreement	−907	+113	−6,288	−5,139	−4,787	−5,438	−4,036	−4,161
Senate-passed	−2,627	−98	−6,055	−5,483	−5,958	−5,890	−5,419	−5,254
Instruction to committee	−1,331	−94	−3,714	−3,398	−3,660	−3,627	−3,604	−3,711
Environment and Public Works:								
Conference agreement	−756		−4,551	−870	−2,545	−1,969	−3,129	−3,427
Senate-passed	−2,351	−71	−5,001	−1,063	[illegible]	[illegible]	−3,710	−4,341
Instruction to committee	−2,350	−68	−4,835	−978	[illegible]	[illegible]	−3,500	−4,165
Finance:								
Conference agreement	−36	+424	−4,743	−9,352	−4,549	−9,862	−4,389	−10,668
Senate-passed	−174	−282	−5,954	−9,506	−6,857	−10,903	−7,579	−12,227
Instruction to committee	−212	−286	−4,490	−9,330	−4,677	−10,876	−4,824	−11,766
Foreign Relations:								
Conference agreement	+518	+26	+563	−52	+763	−18	+702	+158
Senate-passed			−268	−167	−340	−289	−306	−301
Instruction to committee			−250	−130	−275	−200	−300	−300
Governmental Affairs								
Conference agreement			−4,745	−5,203	−6,309	−6,748	−7,286	−7,624
Senate-passed			−4,776	−5,203	−6,360	−6,796	−7,462	−7,797
Instruction to committee			−4,776	−5,203	−6,360	−6,802	−7,462	−7,797
Judiciary:								
Conference agreement			−124	−35	−140	−107	−146	−131
Senate-passed			−117	−39	−134	−105	−144	−128
Instruction to committee			−116	−13	−133	−81	−144	−124
Labor and Human Resources:								
Conference agreement	−33		−9,511	−6,288	−11,847	−10,080	−13,666	−12,222
Senate-passed	−2,582	−508	−10,667	−8,733	−13,473	−12,070	−16,772	−15,370
Instruction to committee	−2,427	−463	−11,088	−8,800	−14,020	−12,464	−17,500	−16,057
Small Business:								
Conference agreement	−760	−131	−504	−823	−540	−517	−527	−506
Senate-passed	−304	−67	−526	−582	−578	−541	−588	−533
Instruction to committee	−97	−67	−526	−390	−564	−541	−554	−533
Veterans Affairs:								
Conference agreement			−110	−116	−122	−127	−124	−128
Senate-passed	−18	−18	−109	−109	−109	−115	−118	−123
Instruction to committee	−14	−14	−110	−110	−108	−108	−106	−106
Indian Affairs:								
Conference agreement			−36	−15	−38	−37	−40	−38
Senate-passed								
Instruction to committee								
Grand total:								
Conference agreement	−7,488	+96	−51,900	−35,190	−55,734	−44,033	−61,721	−51,353
Senate-passed	−14,165	−1,598	−53,501	−38,064	−63,141	−48,230	−72,740	−57,447
Instruction to committee	−12,650	−1,521	−50,694	−35,166	−57,599	−46,442	−66,016	−55,732

OMNIBUS BUDGET RECONCILIATION ACT (H.R. 3982)—Continued

[In millions of dollars]

Senate committee	Fiscal year 1981		Fiscal year 1982		Fiscal year 1983		Fiscal year 1984	
	Budget authority	Outlay	Budget authority	Outlay	Budget authority	Outlay	Budget authority	Outlay
4-year total:								
Conference agreement							–176,843	–130,480
Senate-passed							–203,547	–145,339
Instruction to committee							–186,959	–138,861

COMMITTEE REPORTS

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

On behalf of the Senate Agriculture, Nutrition and Forestry Committee the distinguished chairman, Senator Helms, submitted to the Congress in 1981 a number of complex bills which are vitally important to the Nation and the world. The legislation produced by this Committee will have an impact on the daily lives of millions of American farmers as well as countless millions of American and world consumers, who depend on the Nation's farmers for high quality food and fiber.

The Committee's overall objective, under Republican leadership for the first time in a generation, was to provide reasonable agricultural programs without burdening the American taxpayer unnecessarily. The Committee's legislation provided the basic economic stability needed by the agricultural sector. However, the legislation also provided farmers an opportunity to derive a fair and reasonable profit in the marketplace.

The Committee went to great lengths to fashion agricultural legislation that would not result in unacceptably large Federal outlays. This was a prime concern since 1981 was the first year in memory in which severe budgetary constraints were such a prominent factor in the development of agricultural legislation.

The primary concern of the Committee in this session was the 1981 Farm Bill which, as passed by the Senate, will lend a degree of stability and predictability to the American agricultural economy while remaining within the tight budgetary restraints necessary at this point in our Nation's history. For the most part, the Committee was successful in achieving those goals in the Senate-passed Farm Bill.

A vast arry of laws and regulations ranging from basic farm and natural resource programs, which affect 3.5 million farmers, ranchers, and foresters, to food stamp provisions affecting over 22 million Americans, is under the jurisdiction of the Senate Committee on Agriculture, Nutrition, and Forestry.

The Committee is responsible for providing the legislative dynamics, which lead to the formation of a consistent national food and fiber policy favorable to farmers and consumers alike. The impact of legislation, rules and regulations implemented under Committee guidance has international significance since an ever-increasing portion of the world's population is growing more dependent on American farmers and ranchers for food and fiber.

The Committee, under the leadership of Chairman Jesse Helms, reviews on a continuing basis the applications, administration and execution of all laws relating to agriculture. The Committee monitors all program changes and developments that occur within the regulatory arena and receives reports from such agencies as the

General Accounting Office with respect to the administration of laws within the jurisdiction of the Committee.

The Committee's role as guardian of consumer and farmer interests is highlighted by continuously receiving and examining reports on Federal agricultural functions of importance to the economy of the nation and to the day-to-day lives of each American.

Because of the diversity of interests affected by the Committee's actions and initiatives, the Committee strives to maintain a very complex, yet delicate, balance in every agricultural issue. Throughout the session the Committee set the goal of providing legislation and food policies with the broadest appeal possible.

Although much of the Committee's efforts in the early months of this session were devoted to analyzing and drafting the 1981 Farm Bill, the Committee reported major pieces of legislation, which have become law. The Committee is in various stages of reviewing legislation, including food safety laws (as in the Food Safety Amendments of 1981) and the extension of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA).

The Committee conducted 20 confirmation hearings on Presidential appointments and reported favorably on every nomination. Each nomination was subsequently approved by the Senate.

The Committee received and reviewed 31 reports on various Agriculture Department functions; 57 bills and amendments were referred to the Committee and its eight subcommittees.

The Committee conducted 35 hearings relating to farm legislation and executive branch appointments in addition to 24 days of hearings conducted during the review process for the 1981 Farm Bill.

A renewed and energetic thrust has been undertaken by the Committee's Republican leadership to make American agriculture as profitable as it should be with the least government intervention possible. The Committee is committed to the goal of providing the economic incentives and programs necessary to ensure the tremendous productive capacity of American farmers.

THE 1981 FARM BILL

The 1981 Farm Bill reported by the Senate Committee on Agriculture, Nutrition, and Forestry provides agricultural programs, which will complement, not control, the American agricultural economy.

The Committee, under the leadership of Chairman Helms, was successful in implementing agricultural programs which will provide economic assistance for farmers while keeping government spending at a minimum. In the meantime, the Farm Bill assures an adequate supply of food at reasonable prices for American consumers in addition to a large portion of the world's consumers.

The Farm Bill, which was the most significant piece of legislation for the new Republican leadership on the Committee, preserves the most worthwhile elements of existing programs, makes improvements in current law in many respects and makes significant advances toward a market-oriented agriculture—a goal shared by farmers and Senators.

Structuring a bill that was fiscally sound but responsive to farmers' needs and continuing to move toward a free-market philosophy for agriculture were three primary considerations of the Committee.

In his opening statement during the Farm Bill hearings, Chairman Helms set the tone for what would become the thrust for the Federal government's activities in the farm sector:

"Our interest in the 1981 Farm Bill legislation is to continue the current direction toward a market-oriented agriculture that emphasizes the private sector. We need a goverment policy that supports but does not dominate the farmer and in the process assures the consumer of an abundant supply of high quality food and farm products at reasonable prices."

"American agriculture and all who depend on it will focus on this legislative package and our actions involving it. For this Committee, there is no greater task than our work on this complex and delicate mix that has become known through the years as the 'Farm Bill'."

The aim of Federal farm policy is to induce elements of predictability into this inherently unpredictable business so that farmers may make their planting and marketing decisions as effectively and efficiently as possible.

Because farmers must make such decisions well in advance of the return they receive from the sale of their crop—and in the face of inherently unpredictable forces such as weather and world market conditions—Federal farm policy has sought to provide basic stability in the form of income assurances such as loan rates, target prices, reserves and other mechanisms.

Farmers benefit from these programs simply through the stabilizing effects produced. Consumers benefit from these same programs by the fact that America is blessed with an abundance of food unimagined elsewhere in the world.

The paramount feature of farm policies, from the time of the Great Depression until the late 1960's, was direct government involvement in agricultural production. Starting with the Agriculture Act of 1970 and continuing through the 1977 Farm Bill, Congress has gradually shifted the course of American agriculture away from direct Federal involvement in the farmers' business.

The 1977 Farm Bill established a positive direction toward market-orientation in U.S. agricultural policy. The 1981 Farm Bill continues that progress toward minimizing Government interference in agriculture and maximizing the farmers' opportunity to derive fair profit from the marketplace.

The Committee held firm to its commitment to produce farm commodity legislation, which would have as little cost to taxpayers as possible.

Severe budget restraints were heeded by the Committee in order to produce a cost-effective farm program.

Since the enactment of the 1977 Farm Bill, there have been significant changes in the economic and geopolitical situations in the world, which made the task of writing a far-reaching, multifaceted farm bill even more difficult.

The burdens of spiraling inflation and excessive government regulations have forced farmers' costs to skyrocket. The sudden imposition of the partial trade embargo with the Soviet Union disrupted the world markets in which American farmers earn one-third of their income. As a consequence, net farm income plunged by about 29 percent in current dollars, almost 40 percent in real terms from 1979 to 1980.

Cash receipts in 1980 from crop and livestock marketings are 4 to 6 percent above 1979. However, farm production expenses have increased from 8 to 10 percent in the same period, with net farm income projected at $17 to $21 billion for 1980.

In response to the devastating infestation of the mediterranean fruit fly in his home State of California, Senator Hayakawa introduced S. 1506, a bill which would provide protection from plant pest infestation. The USDA had no authority to initiate spraying and control of the fly was delayed.

Senator Hayakawa recognized the policy deficiency, and the bill, which has been incorporated into the Farm Bill, authorizes the Secretary of Agriculture to take necessary action if the Governor does not choose to initiate action on his own. Without control of the fly, California's economy might have been crippled, and this would have had an impact on the U.S. consumer and our world trade.

Further complicating farmers' plight is the fact that the farmer has little or no control over inflation, regulations, world trade patterns, and certainly, over the prices they receive for their products.

Addressing these challenges with additional concerns that developed since the enactment of the 1977 farm legislation was paramount in the Committee's consideration. Concern about the depletion of the Nation's soil and water resources, and the need for increased emphasis on research, teaching and extension activities of the U.S. Department of Agriculture were integral in developing an equitable farm package.

Since American farmers derive at least one-third of their income from foreign markets, an export policy is important to an all-encompassing Farm Bill.

With these considerations in mind, the Committee began an extensive hearing process spanning 24 days. Testimony was heard from representatives throughout the agricultural and consuming public.

The Committee followed the hearings with a three-week mark-up session on the Farm Bill.

The total cost of the four-year farm bill, as accepted by the Senate, is estimated at $10.6 billion. The conference agreement on the 1981 Farm Bill is estimated to cost $11 billion over the four-year life of the bill. The Agriculture Committee trimmed and re-trimmed programs where possible in order to comply with the budgetary limitations set forth in the First Concurrent Budget Resolution, adopted by the Senate early in the session.

Major savings were achieved in the Farm Bill by scaling down programs without seriously hampering the original intent of stabilizing agricultural producers' income. The Committee was careful to avoid making arbitrary cuts in essential farm programs but instead addressed each program on its merits and provided legislation based on that analysis.

THE DAIRY PROGRAM

In order to lend stability to the dairy industry, which had been plagued by returns which did not keep pace with extremely high costs of production, the dairy price support program was authorized by the Agriculture Act of 1949 to support the national average price received by farmers for manufacturing milk. However, in recent years, high price supports, which reached a level of $1.5 billion for 1980, have led to chronic over-production in the dairy sector.

In a move to strengthen the forces of the market in the dairy industry and to reduce unacceptably high government expenditures, the Conferees adopted milk price supports at not less than $13.10 per hundred pounds for fiscal year 1982. For fiscal years 1983, 1984, and 1985, the minimums would be $13.25, $14 and $14.60 if surplus purchases are projected at more than $1 billion. If purchases are projected at less than $1 billion, the minimum would be 70 percent of parity. The support floor could rise to 75 percent of parity if projected surpluses are less than 4 billion pounds in 1983, 3.5 billion pounds in 1984 and 2.69 billion pounds in 1985. This provision will save consumers money and send a more correct price signal to dairy farmers.

The Committee Farm Bill provision also continued authority for the Commodity Credit Corporation to make surplus government stock of commodities available without charge to nutrition projects under Older Americans Act of 1965 and to child nutrition programs providing food assistance.

WOOL AND MOHAIR

The Committee retained the basic structure for the wool and mohair program, which was authorized originally in the National Wool Act of 1954.

The 1954 Act and the Food and Agriculture Act of 1977 provide for a formula-determined support price for wool and mohair and for supplemental payments to producers.

The current support price for shorn wool is 85 percent of the statutory formula which takes into consideration changes in the index of prices paid by farmers. The support price of mohair is tied to the support price for wool. The adopted formula would change the support level from 85 percent to 77.5 percent of the price support formula set by the 1954 legislation.

WHEAT AND FEED GRAINS

Wheat and feed grains are the lifeblood of the United States' agricultural economy and major contributors to the Nation's export trade. Wheat and feed grains account for approximately half of the $40 billion contributed annually by agriculture to the Nation's total export trade.

Currently, about 60 percent of the Nation's wheat crop must be exported to provide market outlets for wheat. Over the last decade exports ranged from 610 million bushels in 1971/1972 to 1.375 million bushels in 1979/1980. The United States produces about one-eighth of the world crop of wheat but exports 40 to 50 percent of the quantity entering world trade.

Corn, sorghum, oats, and barley are commonly referred to as feed grains since most of the use of these grains is for feeding livestock and poultry. However, these grains are also used for human consumption both domestically and in foreign markets.

The United States is the largest producer of feed grains in the world and supplied about one-quarter of the world's production of feed grains in the past three years.

Corn is the leading crop in the United States, in both volume and value of production. In fact, the nation accounts for about one-half of the world production of corn.

Due to the tremendous importance of wheat and feed grains in the national and world economies, it is essential to provide marketing flexibility and dependability for American producers.

The Committee continued the traditional combination of target prices and loans for the wheat and feed grain programs. Throughout the consideration of the Farm Bill, the Committee kept in mind that the ideal situation for American farmers would be a totally market-oriented agriculture. The Senate-passed Farm Bill is a definite, continuing step toward that ultimate goal.

A minimum target price for the 1982 wheat crop year was set at $4.05 per bushel. The minimum loan rate was set at $3.55 per bushel.

The minimum target price for the 1982 crop year was set at $2.70 per bushel for corn. The minimum loan rate was set at $2.55 per bushel for corn. Target prices for the other feed grains would be established on the basis of their feed value in relation to corn.

The Farm Bill makes prevented planting and reduced yield disaster payments available for each of the 1982 through 1985 crops of wheat and feed grains, for producers for whom Federal crop insurance is not available. The disaster payments will be computed based on current law. The Secretary of Agriculture will have the discretionary authority to make such disaster payments available to any producer if disaster losses have created an economic emergency that cannot be alleviated by crop insurance and other assistance programs.

The Farm Bill also authorizes acreage limitation and paid diversion programs for the 1982 through 1985 crops, if needed to protect against overproduction.

FARMER-OWNED GRAIN RESERVE

The farmer-owned grain reserve was initiated for grains in the Food and Agriculture Act of 1977. The Act required the Secretary of Agriculture to establish a wheat reserve and gave authority for a feed grain reserve. The farmer-owned reserves for wheat and feed grains are intended to remove grain from the market in periods of surplus production and low demand.

The reserve stocks are then made available for utilization when production declines or export demand strengthens.

However, the most important element of this program is that the reserves are owned by farmers, who benefit from increased prices when stocks are released to the marketplace.

The program has served primarily as a price support mechanism. Its role as a marketing tool for farmers has not yet been fully developed.

It was with the intention of increasing the use of the farmer-owned reserve that certain changes were made by the Committee.

Several major changes were made by the Committee in order to further enhance the operations of the farmer-owned grain reserve.

One of the most significant changes in the farmer-owned reserve was the elimination of the reserve call price—the point at which the Government requires farmers to repay loans, often forcing them to sell their grain. The revised provisions relating to the reserve call price authorizes the Secretary of Agriculture to adjust interest rates to encourage orderly marketing. The effect of this Committee action is to allow farmers to make their decisions based on the marketplace, rather than Government mandate.

In another major change in the farmer-owned reserve, wheat and feed grains authority for the reserve was made mandatory.

COTTON

The Committee kept the basic framework in place for the nation's cotton producers. Cotton producers have experienced several setbacks in their industry, ranging from a loss of markets to synthetic fibers to a severe reduction in yield brought about by the drought of 1980. The nation's cotton producers have also been plagued by soaring production costs on a crop which historically has required tremendous initial investments.

The Farm Bill provides for a loan and target price program for the 1982 through 1985 crops of upland cotton. Loans will be available at the lower of (a) 85 percent of the average U.S. spot market price for upland cotton during the preceding five years or (b) 90 percent of the average Northern Europe price for upland cotton, as determined under formulas set forth in the bill. However, in no case will the loan level be less than 55 cents per pound.

The minimum target price for cotton will be the higher of (a) 120% of the loan rate or (b) 71 cents per pound in 1982, 76¢ in 1983, 81¢ in 1984 and 86¢ in 1985. The Secretary of Agriculture could establish a higher target price for any year's crop in order to reflect any change in the per-acre cost of production.

Prevented planting and reduced yield disaster payments will be made available as in the wheat and feed grain programs. Also, acreage limitation and paid diversion programs for the 1982 through 1985 crops of upland cotton will be provided in the same manner as wheat.

RICE

A source of pride for the rice industry and the entire agricultural community has been the evolution of the federal program over the years from a strict marketing quota system with high support prices to a more market-oriented system of target prices and cropland set-asides.

Early in 1980, representatives of rice producers from the major producing areas developed a set of recommendations for the rice title of the 1981 Farm Bill. The producers agreed that the current program has worked well for the industry inasmuch as it allowed rice to move competitively into expanding markets and has given reasonable income protection to growers. However, rice producers favored further movement towards a market-oriented rice program which would stimulate production required to satisfy expanding world demand. The producer representatives recommended that the acreage allotment for rice be replaced by a national program similar to those for wheat, feed grains and upland cotton.

The Rice Production Act of 1975, enacted in February of 1976 and applicable to the 1976/1977 crops, instituted a market-oriented program for rice similar to the wheat, feed grains and upland cotton programs established under the Agriculture and Consumer Protection Act of 1973 and the Agricultural Act of 1970.

The new market-oriented program for rice included provisions for target prices, cropland set-asides, acreage diversions, and disaster payments. Marketing quotas were suspended; restrictions on rice production were removed; and program participation was made voluntary. Acreage allotments were maintained, however.

The 1977 Farm Bill extended the Rice Production Act of 1975 through the 1981 crop year with historical acreage allotments continuing to apply for purposes of determining eligibility for Government payments and loans.

The Farm Bill provided a minimum target price for crop year 1982 of $10.85 per hundred pounds in 1982, $11.40 in 1983, $11.90 in 1984, and $12.40 in 1985.

In keeping with the recommendations of the rice industry leaders the rice acreage allotment and marketing quota programs were repealed in lieu of the industry's favored programs of loan and target prices. The disaster assistance program was also extended to producers in counties where the Federal Crop Insurance Corporation assistance is not available.

PEANUTS

A compromise peanut program was accepted that eliminates the allotment system but retains the poundage quota system with an increase in the support price. Under the new peanut program, anyone may grow peanuts but only those with poundage quotas which have been tied directly to allotments are eligible for the higher support levels.

The national poundage quota for the 1982 crop will be 1.2 million tons. The total national poundage quota will be reduced 100,000 tons over the four years of the bill. A referendum of peanut producers will be held to determine if the peanut producers favor poundage quotas for following crops of peanuts. If more than one-third of the farmers voting oppose quotas, there will not be a national poundage quota.

The Farm Bill provides a minimum price support level for quota peanuts of the 1982 crop at $550 per ton. The price support level for succeeding crops will be adjusted to reflect changes in the cost of production.

SOYBEANS

In a significant move toward greater market orientation, the Committee revised the formula for determining the loan rate on soybeans. Instead of a series of calculations by the Government, the loan rate will be determined based on actual markets.

Soybean production is a national success story. Soybean production in the United States has increased from 5 million bushels in 1952 to 2.268 million bushels in 1979. Expanded acreage has accounted for much of the increased production of soybeans. However, thanks to major advances in research, soybean yields have increased from 1.7 bushels per harvested acre in 1925 to 32.1 bushels per acre in 1979.

American soybeans have become a dominant force in world trade. In 1979-1980, soybeans produced in the United States constituted over 80 percent of world trade. The rapid advance of the U.S. soybean industry has occurred almost entirely without Government intervention. In fact, the soybean industry is almost a classic example of successful free enterprise.

The Government role in soybean production is limited, which is precisely what soybean industry representatives requested. The only major mechanism of current programs applying to soybeans is the Commodity Credit Corporation loan program. Soybean growers have requested that soybeans maintain their traditional freedom from Government regulations by not being included in any farmer-owned reserve, land diversion or acreage reduction.

Also, reemphasizing the soybean producers' market orientation is the mechanism in which soybean price support loans are determined.

Loans and purchases will be made available on soybeans at a level equal to 75 percent of the simple average price received by farmers for soybeans for five marketing years immediately preceding the then current marketing year. The price support level will in no case be less than $5.02 per bushel.

SUGAR

Due to the tremendous volatility of the sugar market and the problems faced in the world market by U.S. producers, the Committee made the decision to include sugar market protections in the Farm Bill.

A loan rate starting at 17 cents per pound in 1982 and increasing incrementally to 18 cents in 1985 was adopted. The program applied to domestically grown sugar beets and sugarcane.

AGRICULTURAL EXPORTS, EMBARGO PROTECTION

In order to enhance the U.S. Department of Agriculture's commitment to developing world markets for the Nation's produce, the Committee included major provisions relating to agricultural exports.

Agriculture currently contributes some $40 billion annually to the Nation's exports. Much of the tremendous growth in world demand for the Nation's agricultural products can be attributed to an aggressive market development effort conducted by private enterprise with government assistance.

An agricultural credit revolving fund was established in the Treasury for use by the Commodity Credit Corporation to finance short-term commercial export sales of agricultural commodities, export sales of breeding animals and the establishment of handling facilities for agricultural commodities in importing countries.

In order to maximize free trade and inject a degree of accountability in the establishment of bilateral agreements involving commitments on the part of the United States to allow another country to purchase U.S. agricultural products and commodities on a commercial basis, the Committee added legislation requiring the President to notify—at least 30 days in advance—the agriculture committees of the Congress on proposed bilateral agreements, other than treaties, with nations purchasing U.S. farm products.

A major provision, not previously included in farm bills, was added by the Committee in an effort to further protect farmers from the ravages of wild fluctuations in world trade patterns. The Committee included a strong provison drafted in large measure by Sen. Roger Jepsen and Sen. Rudy Boschwitz, to offer financial relief to agricultural producers through either loans or payments if an embargo is imposed on only agricultural products without including other segments of the economy.

The Committee included the embargo protection provisions in response to the disastrous effects of the previous Administration's partial embargo of agricultural products to the Soviet Union following its invasion of Afghanistan.

Another significant export provision was the authorization for the Secretary of Agriculture to formulate a special standby export subsidy program for agricultural commodities to neutralize export subsidy programs of other countries. The program would be implemented only if the President determines that the export subsidy program of another country is adversely affecting the export markets of U.S. agricultural commodities.

PUBLIC LAW 480

Public Law 480 is the primary means by which the U.S. Government provides food assistance to foreign countries. Enacted in 1954, P.L. 480 has four legislative objectives: to provide humanitarian assistance; to expand international trade and develop markets for U.S. agricultural products; to support economic development within recipient countries; and to promote the foreign policy of the United States.

Since the program was conceived, 290 million metric tons of commodities valued at $31.7 billion have been exported through the program. Wheat and wheat products, corn and corn products, rice, sorghum, nonfat dry milk, soybean oil and cotton are among the major commodities exported through the program.

The Committee continued its commitment to the successful P.L. 480 program, realizing its tremendous importance to American agricultural producers as well as its importance to developing nations. The Committee agreed to extend current authorities under P.L. 480 through December 31, 1985.

RESEARCH, TEACHING, EXTENSION ACTIVITIES

By consensus, the Committee reaffirmed its support for the concept of research, teaching and extension activities carried out by the U.S. Department of Agriculture.

The Committee aimed its efforts toward improving a system which has proved to be highly successful.

The Committee began its consideration by approving provisions to revise the findings and purposes of the National Agricultural Research, Extension and Teaching Policy Act of 1977. The Committee, in calling for revision, emphasized the importance of a Federal-state partnership in conducting research, extension, and teaching; a strong basic research program; and long-range planning to meet national agricultural research, extension, and teaching objectives.

The Committee also proposed authorization for an additional Assistant Secretary of Agriculture, who could be responsible for managing research, extension and teaching activities in the Department.

Meanwhile, in order to ensure that research efforts are continued and expanded, the Committee also provided provisions for authorizations for appropriations of $50 million annually for each of the 1983 through 1987 fiscal years for the competitive grants program under P.L. 89-106.

SOIL CONSERVATION AND FARMLAND PRESERVATION MEASURES

One of the most significant additions to the 1981 Farm Bill is the soil conservation and farmland preservation title.

Natural resource conservation problems affect all segments of the American population. The Nation's soil and water resources form the foundation upon which our agricultural capacity for producing food and fiber for both domestic and export demands is firmly set.

Soil erosion is a serious problem in every state and seriously threatens the Nation's productive ability. There are 413 million acres of non-Federal land used for crop production in the United States and approximately 100 million of these acres are affected by excessive sheet, rill and wind erosion that leads to a loss in production.

It is in the national interest to provide programs which will put the necessary incentives in place which will encourage farmers to conserve and protect their valuable resources.

The provisions of the Senate-passed Farm Bill are designed precisely to achieve that goal.

The Special Areas Conservation program targets additional technical and financial assistance to areas of the country with serious soil and water resource problems. This new program is patterned after the highly successful Great Plains Conservation Program, which is operating in the states.

The bill will require the Secretary of Agriculture to establish a resource conservation and development program designed to assist states, local units of government and non-profit organizations in developing and implementing plans of land conservation and water management in designated rural areas. Technical and financial assistance will be provided to a minimum of 225 designated areas.

The Farm Bill also contains provisions designed to assure that the importance of farmland as a national resource and the need to preserve the Nation's farmland is recognized and considered in the administration of Federal laws and regulations. Federal agencies will be required to consider alternatives before taking actions that will result in the conversion of farm land to non-agricultural uses.

Non-Federal actions on farmland conversion will not be regulated or affected by this bill.

The new title also contains provisions for volunteers for conservation in connection with conservation work carried out by the Soil Conservation Service.

Another section of this Farm Bill title authorizes the Secretary of Agriculture to make payments to farmers in certain areas who remove land from production for the purpose of installing enduring conservation measures that involve excavation of soil.

The Senate-passed Farm Bill reflects the diversity of American agriculture. The Farm Bill provides the basic structure for programs, which will serve producers effectively and efficiently. The strong healthy agricultural economy ensured by this Farm Bill will thereby benefit consumers.

STANDBY PETROLEUM ALLOCATION ACT OF 1981

In order to assure an equitable share of crude oil supplies for small or independent refiners during a time of national crude shortage, Senator Mark Andrews of North Dakota introduced the Standby Petroleum Allocation Act of 1981. In hearings before Senator Andrews' Rural Development, Oversight and Investigations Subcommittee, Chairman Andrews emphasized that the passage of the bill was essential to give the highest priority to oil, gas, diesel and other fuels for agriculture and subsequently, the entire food chain—from planting to harvesting to processing and marketing, and finally to the consumer, a similar bill was passed overwhelmingly by the full Senate.

BUDGET SAVINGS IN THE DAIRY PROGRAM (PUBLIC LAW 97-6)

Early in the session, the Committee began its activities in the precedent-setting legislative initiatives to reduce Federal spending.

The bill, S. 509 (subsequently P.L. 97-6), was the first major budget-cutting measure undertaken by the new Republican controlled Senate and the new Reagan Administration. The passage of S. 509 set the tone for what would develop with succeeding budget control measures to be considered.

The Administration inherited a rapidly expanding Federal budget and a sagging economy. In order to revitalize the economy, it was necessary to begin reducing the Federal budget. The dairy price support semi-annual adjustment was the first test in the long budget cutting process.

Because of mounting Federal expenditures, the dairy price support semi-annual adjustment was a major area for Congress to review. Additionally, the dairy price support program is the only agricultural commodity program with a semi-annual adjustment.

Further, S. 509, by eliminating the semi-annual adjustment scheduled for April 1, 1981, would save an estimated $160 million in FY 1981 and $86 million in FY 1982, according to the Congressional Budget Office.

The purpose of the milk price support system, as conceived in the Agricultural Act of 1949, is to assure an adequate supply of pure and wholesome milk to meet current needs at reasonable prices, reflect changes in the cost of production for farmers and assure a farm income level adequate to maintain the productive capacity to meet anticipated future needs.

However, farmers increased production more rapidly than consumer demand expanded. Consequently, huge government surpluses have built up. In FY 1980, the Commodity Credit Corporation spent more than $1 billion on the dairy price supports. This year gross expenditures are expected to be almost $2 billion, and the net cost to the Government could reach $1.7 billion.

The Committee found that the elimination of the semi-annual adjustment, scheduled for April 1, 1981, would have a very moderate impact on producers and would avoid an estimated 25 per cent per hundredweight increase in the annual average milk price. The resulting legislation benefited the taxpayer without significant adverse impact on milk producers.

OMNIBUS RECONCILIATION ACT OF 1981 (PUBLIC LAW 97-35)

The consideration of the Omnibus Reconciliation Act of 1981 was a historic occasion for the Congress. It was the first major utilization of the reconciliation process, outlined in the Budget and Impoundment Act of 1974.

The Committee met and exceeded its reconciliation instructions. Rather than simply capping authorizations and deferring actual program cuts to the appropriations committees, the Senate Committee made specific changes in the authorizing legislation for programs, meeting the spirit of the reconciliation process as well as its substance.

In the areas within the Committee's jurisdiction, the Committee achieved savings for fiscal year 1982 totalling $1.5 billion in agriculture and farm-related programs, savings of almost $1.7 billion for fiscal year 1982 in food stamp program reforms and savings of about $1.5 billion for fiscal year 1982 and a total of $16.3 billion for fiscal years 1982 through 1984.

The bulk of the reductions came in the two largest areas of the U.S. Department of Agriculture's budget—food stamps and child nutrition programs. Most of the major reductions in the food stamp reconciliation measures were contained in S. 1007, adopted by the Senate on June 10, 1981.

Savings in the child nutrition program were achieved primarily by savings in such areas as the summer feeding program, where meals are handed out regardless of need. The Committee also tightened the program rules and regulations in order to eliminate fraud and abuse in all feeding programs.

The Committee also acheived major savings by placing caps on authorizations for certain USDA programs and cut back spending for certain Forest Service activities and reduced USDA personnel.

In addition, the conference substitute set minimum price support levels for milk between 75 percent and 90 percent of parity, with the actual levels based on the estimated amount of Government purchases under the price support level. The dairy program reductions served as an interim measure until the enactment of the Farm Bill, which made permanent program changes in the administration of the dairy price support.

Program changes ultimately approved by the House-Senate conferees on reconciliation in relation to agricultural programs included:

Reductions in the price support for milk.

Changes in the Farmers Home Administration and the Rural Electrification Administration loan programs, with the Senate restoring REA access to the Federal Financing bank program.

Recovery of inspection costs for cotton, tobacco grain and naval stores.

Sending reductions in the child nutrition and food stamp program.

Reductions in the authorization levels for the P.L. 480 (Food For Peace) program.

The Committee was careful to retain the basic farm programs necessary for a viable agricultural economy. However, without curbs on spending, the Federal budget would continue to grow at almost uncontrollable rates and continue to place increased pressure on the economy, which would severely affect American agricultural producers.

FOOD STAMP SPENDING CUTS—S. 1007

The total cost of the food stamp program in FY 1981 was estimated at $11.4 billion. Without any spending reforms, it is estimated that the program could reach as high as $12.5 billion in 1982. Currently, there are about 22 million Americans—about 1 in every 10—receiving food stamps.

In the past three years, the program has more than doubled in cost. In two years, between October 1978 and October 1980, participation jumped from 15.2 million to 22 million, a 45 percent increase.

Because of the tremendous increase in the cost of program, the Committee searched for solutions, which would still provide assistance to the truly needy while eliminating waste, fraud, and abuse in the program.

The committee bill increased the fiscal year 1981 authorization for appropriations for the food stamp program to authorize appropriations, with limits, through fiscal year 1985, and make substantial changes in the Food Stamp Act of 1977 in order to ensure that future funding needs will be reduced and that greater control will be exercised over eligibility for food stamps.

Federal savings by S. 1007 amount to $1.8 billion in FY 1982 and rise to over $2 billion annually in later years.

The workfare provision included in S. 1007 was a significant step in providing further accountability and reality in the Food Stamp Program.

The Committee adopted an amendment offered by Chairman Helms to allow states or political subdivisions within states to operate workfare programs in which able-bodied recipients would be required to accept work offered by state or local jurisdiction as a condition for participation in the food stamp program. The provision allows a state to apply on behalf of all or part of the state or a local government could apply directly to the Secretary of Agriculture to operate a workfare program.

Providing states and local jurisdictions with the option of establishing workfare projects is partially an outgrowth of the workfare projects that were established as part of the Food Stamp Act of 1977. That legislation provided for 14 demonstration projects to be established, upon request of the Secretary of Agriculture, to test the concept of working for food stamp benefits. The Committee was careful to provide the state and localities with the maximum flexibility in establishing and operating a food stamp workfare program.

Among other objectives, including benefits to state and local governments, the workfare programs:

1. Return something of value to the community for its support of the recipients. (The Federal Government pays 50 percent of the administrative costs involved in the operation of the workfare programs. The state and local governments receive the benefit of the work done by the recipients.)
2. Introduce the individual to the work environment.
3. Act as a deterrent to program participation for those who could work but choose not to work.

The Committee also adopted a provision prohibiting strikers from receiving food stamps due to a decrease in income as a result of a strike.

Under current law, strikers have frequently made themselves eligible for food stamps through the temporary loss of income during a strike.

The current law policy of allowing strikers to be eligible for food stamps during the strike has greatly damaged the program's public integrity. For example, food stamp benefits provided to strikers' households may have amounted to $37 million in fiscal year 1980. The Committee's provision would automatically deny food stamps to households containing a strike member, unless the household could show that, immediately prior to the strike, it would have been eligible or was receiving food stamps according to the applicable food stamp laws. This denial of eligibility would continue food for the duration of the strike.

A single set of gross income eligibility limits, except for the elderly is required by the bill as opposed to the original system of income limits that vary according to the type of household income and whether a household has special expenses such as medical expenses. The Committee bill established gross income eligibility limits at 130 percent of the applicable Federal "poverty line."

The Committee bill also made substantive changes in the mechanisms involving inflation indexing, earned income deductions, retrospective accounting procedures, and medical and dependent care deductions.

Other major provisions in the bill included:

Prevent artificial splitting of households by requiring non-elderly parents and their childern to apply as one food stamp household and eliminating boarder provisions.

Removal of drug addicts and alcoholics, who are on residential treatment programs.

Delay and change of timing of the annual adjustments in the cost of the thrifty food plan.

Extend the penalty of disqualification to include misrepresentation as well as fraud and lengthen disqualification periods.

Improved practices for collection of overpayments.

DAIRY PRICE SUPPORT/WHEAT REFERENDUM LEGISLATION—H.R. 4612

S. 1697

Due to the delays in completing the Farm Bill in the House of Representatives, several stopgap measures had to be implemented since many agricultural programs reverted to the original authorizing legislation.

The bill, S. 1697, which passed the House of Representatives, maintained until November 15, 1981, the price of milk at the price in effect beginning October 1, 1981, and ending November 15, 1981, which is $13.10 per hundredweight. It is estimated that the increased milk price supports resulting from the return to the 1949 legislation for the dairy price supports would cost the government $200,000 per day, and if continued into 1982, it would reach as much as $1 million per day.

S. 1395 (Public Law 97-24)

S. 1395 delayed a wheat referendum, which would be necessary under the permanent legislation, which was in effect with the expiration of the 1977 Farm Bill. Without this measure, it would be necessary for wheat producers to vote on wheat allotments and quotas under the Agricultural Adjustment Act of 1938, which would be legislation in effect. For most commodities, marketing quotas and allotments have been replaced by loans and target prices.

In hearings relating to these measures, Senator Dole estimated that the wheat legislation would save taxpayers $7 million, not to mention a major savings in time and confusion created by conducting a national referendum.

EMERGENCY FUNDS FOR THE FEDERAL CROP INSURANCE CORPORATION—PUBLIC LAW 96-11

The Committee provided the leadership and initiative in securing the necessary funds to ensure the continued operation of the Federal Crop Insurance Corporation.

The Federal Crop Insurance Act of 1980 was enacted to establish an expanded and improved all-risk crop insurance program for U.S. farmers. The FCIC program has been successful in expanding coverage to crop farmers throughout the nation.

However, due to the tremendous costs incurred in expanding the program, the crop insurance program faced a shutdown this year due to lack of funds.

S. 730, later enacted as P.L. 96-11, provided the temporary emergency authority for the FCIC to pay its administrative and operating expenses for 1980 out of funds set aside for payments of indemnities from the Commodity Credit Corporation fund.

The bill allowed FCIC to continue its expansion of crop coverage to additional crops as well as to continue expanding into additional counties.

EMERGENCY AUTHORITY FOR SECRETARY OF AGRICULTURE TO ASSIST IN PLANT AND ANIMAL HEALTH THREATS, PUBLIC LAW 97-46

The problems encountered in California with the Mediterranean fruit fly highlighted the need for legislation, which would give the Secretary of Agriculture emergency authority in assisting with the eradication of economically devastating plant and animal diseases and pests.

Under P.L. 97-46, the Secretary of Agriculture now has the additional authority necessary to effectively assist states in dealing with outbreaks of animal and plant diseases as well as threats created by large increases in insect populations. Without this emergency assistance, agricultural economies could be destroyed.

FOOD SAFETY AMENDMENTS OF 1981 HEARINGS

The Food Safety Amendments of 1981 would amend the Federal Food, Drug, and Cosmetic Act, the Federal Meat Inspection Act, the Poultry Products Inspection Act, and the Egg Products Inspection Act.

The intent of the legislation is to make major revisions in the Nation's food safety laws. While a safe food supply is a top priority, certain revisions have been needed to bring outdated food safety laws in line with continuing advances in modern technology.

A focal point of discussion on the bill's amendments is the "zero-risk" standard, which is incorporated into current food additive laws. Much of the debate surrounding the bill was in relation to "zero-risk".

SUMMARY OF SAVINGS OF AGRICULTURE, FORESTRY, CHILD NUTRITION, AND RELATED PROVISIONS OF OMNIBUS BUDGET RECONCILIATION ACT OF 1981

[In millions of dollars]

	Fiscal year 1982		Fiscal year 1983		Fiscal year 1984	
	Budget authority	Outlays	Budget authority	Outlays	Budget authority	Outlays
Agriculture, forestry, and related programs	728	1,554	936	1,775	1,535	2,267
Food stamps	1,658	1,658	2,046	2,046	2,334	2,334
Child nutrition	1,474	1,457	1,579	1,566	1,682	1,672
Total	3,860	4,669	4,561	5,387	5,551	6,273

COMMITTEE ON APPROPRIATIONS

The drive to reduce federal spending initiated by President Reagan has focused a national spotlight on the appropriations process. The role of the Appropriations Committee under the leadership of Senator Mark Hatfield, in setting specific funding levels for the thousands of federal programs has thus been enhanced. For while new authorization levels for federal programs were set in the Omnibus Budget Reconciliation Act of 1981, under Senate rules, appropriations may exceed authorization levels. Thus, it was left to the Appropriations Committee to enforce the resolve of Congress demonstrated in the reconciliation process.

This Committee has long embraced the goal of reducing spending, even during years when the cause was not a popular one. In 37 of the last 38 years, appropriations have been below the President's request. This year, unprecedented cuts were made.

In May 1981 Chairman Hatfield and the Committee made the first concrete response to President Reagan's call for reduced spending. While the Congressional Budget and Impoundment Control Act of 1974 established a workable impoundment process, until this year Congress had only approved 15% of presidential recommendations. This year, at the Committee's urging, the Congress approved P.L. 97-12, which rescinded fiscal year 1981 budget authority of $14.3 billion, or 95% of the President's request. The total amount rescinded in this single law is greater than the total sum of rescissions approved since the Impoundment Control Act was enacted in 1974. In addition, the Committee considered 131 requests for deferral of FY 81 funds, and a total of almost $4 billion was deferred.

The effort to reduce spending has carried over into action on fiscal year 1982 appropriations bills. During the past decade, appropriations have grown an average of over 16% a year, in current dollars. To a major extent, this growth has been due to entitlements within these appropriations. The rise in spending between 1981 and 1982 regular appropriations bills, at levels agreed to in the Senate, has been cut to 5%. This figure includes the $40 billion increase in defense spending between FY 81 and 82. Without this 25% increase, and a similarly large increase in the military construction appropriations, appropriations would be reduced by 9%. A table showing the levels of budget for the FY 81 and 82 regular bills is presented as follows:

COMPARISON OF BUDGET AUTHORITY REGULAR APPROPRIATION BILLS, FISCAL YEARS 1981-82

[In billions of dollars]

	1982	1981
Subcommittee:		
Agriculture	20.8	20.0
Defense	199.7	159.7
District of Columbia	.6	.5
Energy-Water	12.5	12.0
Foreign operations	11.5	[1] 11.9
Housing and Urban Development	60.4	74.1
Interior	7.2	9.5
Labor-HHS	85.0	90.0
Legislative	1.3	1.2
Military construction	7.1	5.1
State, Justice, Commerce	8.6	9.1
Transportation	10.1	12.0
Treasury	9.4	9.7
Total	434.2	414.8

[1] Includes $5.5 billion for U.S. participation in the International Monetary Fund.

The Committee takes great pride in this record.

DEFENSE

Senator Ted Stevens and Senate allies successfully turned back floor efforts to delete $2.4 billion contained in H.R. 4995, the FY 82

Defense Appropriations Bill, for the B–1 bomber. Senator Stevens and fellow committee members, in conference with the House, held the final defense spending total to less than $1.2 billion below the budget, effectively restoring more than $2.2 billion and House reductions. The final bill sustained all major features of the President's strategic package. Under Senator Stevens' leadership, the defense appropriations bill—$199.7 billion, the biggest ever—cleared conference in one day after it appeared there would be no final bill. As the Senate Majority Leader said, "Senator Stevens has persevered in a difficult assignment and brought to us a bill and resolved an issue that, earlier this year, even a few weeks ago, many predicted would not be resolvable in this session of Congress."

MILITARY CONSTRUCTION

Senator Paul Laxalt, Chairman of the Military Construction Appropriations Subcommittee brought a bill before the Senate containing $7.3 billion for FY 82, $12.9 million under the President's amended request, even though H.R. 4241 featured the largest military construction budget in history. The final bill included a $75 million increase for the National Guard and Reserve Forces.

TRANSPORTATION

On November 3 when the Senate approved the FY 82 appropriations for DOT and related agencies, Senator Mark Andrews, Chairman of the Transportation Appropriations Subcommittee said, "We have met the President more than halfway in the effort to cut the budget. We have done our fair share. We have taken a balanced and responsible approach." The bill, as later conformed to the Continuing Resolution, was $1 billion less than the President's March request and incorporated virtually the entire total of cuts. The Committee allocated these cuts among various programs in order to preserve the greatest benefit from each dollar spent. The Senate cleared the Conference Report for Presidential action.

DISTRICT OF COLUMBIA

The Senate adopted the conference report in H.R. 4522, D.C. Appropriations, FY 82 on November 19 thus clearing it for the President who signed into law on December 4, P.L. 97–91. Senator Alfonse D'Amato's D.C. Appropriations Subcommittee had recommended $557,170,000, $13 million less than requested by the President. The Conference committee agreed to that funding level.

ENERGY AND WATER DEVELOPMENT

The Senate adopted the conference report on H.R. 4144 Energy and Water Development Appropriation bill, FY 82 on November 21. The conference agreement provided $12,472,025,000 in new budget authority for FY 82. Senator Mark Hatfield, Chairman of the Energy and Water Development Appropriations Subcommittee and Appropriation Committee chairman noted that the amount was $938,262,000 below the March request and only $92,000,000 in outlays above the September revised requests. Senator Hatfield also pointed out that the total amount for the bill was below both the House and Senate passed totals. Senator Hatfield added . . . "I believe that arriving at this lower total amount clearly shows our determination and commitment in both the House and Senate to reduce the growth in Federal spending. (CR. S. 13925, November 21, 1981).

LEGISLATIVE BRANCH

The Legislative Branch appropriations bill was incorporated into H.J. Res. 325 Continuing Appropriations FY 82, P.L. 97-51. The measure thus provided $1.3 billion for the legislative branch in FY 82. The figure was $140 million below the budget request. Senator Mack Mattingly, Chairman of the Legislative Branch Appropriations Subcommittee successfully worked to cut 10½ percent from the Senate budget for FY 82.

COMMERCE, STATE, JUSTICE

Senator Lowell Weicker's State-Justice-Commerce Appropriations Subcommittee reported the FY 82 Commerce, State, Justice Appropriation bill at $8.63 billion. The bill was $53 million below the House version and $130 million below the President's March request of $8.76 billion. After the President's September 24 budget message, the subcommittee made reductions for various Departments and agencies funded in the bill; however, continued funding is provided for a number of important programs, including juvenile justice, legal services, and the Fulbright exchange programs.

FOREIGN OPERATIONS

For the first time in the last three years, there is reason to expect that the Congress will enact a Foreign Aid Appropriations Bill, under the leadership in the Senate of Senator Bob Kasten of Wisconsin, Chairman of the Appropriations Subcommittee on Foreign Operations. Senate passage of the bill on November 17, 1981, by a vote of 57 to 33, responded to the determination of the Reagan Administration that the programs it funded are vital to American foreign policy and the pursuit of American interests throughout the world. On December 15, agreement was reached in a conference with the House, and it is anticipated that the conference report will clear Congress today.

TREASURY

In response to the President's September requests for further budget reductions, Senator James Abdnor, Chairman of the Treasury Appropriations Subcommittee re-shaped the reported version of H.R. 4121 which had been approximately $38 million beneath the President's March request. The bill, as it came to the floor in December, provided $9,397,072,000 in budget authority for Treasury, Postal Service and various related agencies. This amount was $467,560,000 less than the President's March request, $430,058,000 below the amount contained in the reported bill and $919,852,000 below the FY 81 level. Senator DeConcini, ranking minority member on the subcommittee, praised Senator Abdnor's work and called the bill "an exceptional example of fiscal restraint."

HUD

Senator Jake Garn, Chairman of the HUD Appropriations Subcommittee, proposed in full committee 44 changes to the conference agreement on H.R. 4034. The cumulative effect of these changes reduced by $1.6 billion the House proposed level for activities contained in the bill. The Senate adopted the conference report with amendments on November 21. The amended conference report was subsequently approved by the House on December 10 and sent to the President. The savings achieved by the amendments proposed by Senator Garn amounted to reductions of approximately $1.373 billion from the previous level.

AGRICULTURE

The Senate adopted the conference report on H.R. 4119, the Agriculture, Rural Development and Related Agencies Appropriation Bill for fiscal year 1982, on December 15, 1981. The conference agreement, as amended, provides $22.6 billion in total obligational authority for fiscal year 1982. Senator Thad Cochran, Chairman of the Agricultural subcommittee, noted that the final agreement was $2.9 billion below the level provided for fiscal year 1981 and $125 million below the President's March request, Senator Cochran added, "We have succeeded in shaping this measure to a very fine balance between unprecedented budgetary constraints and the ever growing demand for continued progress in agricultural technology, soil conservation, rural development, and addressing food needs here and abroad."

INTERIOR

In an effort to get the Interior and Related Agencies Appropriations Act into line with the President's requirements—without gutting essential national resource and energy programs—subcommittee Chairman James McClure sponsored and secured passage of an amendment to the Conference Report which trimmed some $319 million from the bill. The final $7.2 billion bill, while still over the President's September budget, nevertheless represented about a 15 percent decrease from the comparable revised fiscal year 1981 Interior and Related Agencies budget.

Labor-Health and Human Services-Education

The fiscal 1982 Labor-HHS-Education Appropriations Bill was reported to the Senate on November 9, 1981. As Subcommittee Chairman Harrison Schmitt of New Mexico has pointed out, this is the first Labor-HHS-Education Appropriations Bill to be reported from the Senate Appropriations Committee in two years. In developing the bill, Senator Schmitt worked successfully to provide adequate funding for essential discretionary programs, such as biomedical research, Education of the Handicapped and Head Start, despite the fact that entitlement programs now consume about 70% of the funds in the measure. Senator Schmitt has made major proposals to reduce the entitlements as a necessary step to protecting the discretionary programs against even larger funding cuts.

The reported Labor-HHS-Education bill maintained important priorities for funding of discretionary programs, but still is $1.7 billion below the Subcommittee funding ceiling and some $1.5 billion below the House level for the measure. Until the Labor-HHS-Education bill is enacted, it will be funded through the Continuing Resolution. The Continuing Resolution passed this month basically maintains the Senate approach to the Labor-HHS-Education discretionary programs while providing for a $1.5 billion reduction to help the President meet his September budget goals.

Difficulties

The Committee operated this year under severe hardships. First, action on fiscal year 1982 bills was delayed two months as Congress awaited the budget revisions which were submitted by President Reagan in March. These revisions reduced requested budget authority by $37.5 billion.

During the summer months, normally prime time for consideration of appropriation bills, the attention of Congress was almost entirely devoted to the Omnibus Budget Reconciliation Act of 1981 and the Economic Recovery Tax Cut of 1981. Consideration of appropriations bills in Committee was hampered by the need to await determination of thousands of new authorization figures through reconciliation.

Just as the Appropriations Committee began reporting bills in September, the President, reacting to the worsening economic situation, requested that the Committee halt its action to await new savings proposals. The President's program was announced on September 24, and the details of the budget revisions were received in Congress on September 30, just one day before the beginning of the new fiscal year!

As a result of these factors, a continuing resolution was necessary to mainain the operations of the government pending further action on regular appropriations bills. This resolution, Public Law 97-51, set spending levels during the interim period at the lower of the two levels established by the Congress, where both houses had acted on an appropriation bill. Where action had occurred in only one House, the rate established was the lower of the Fiscal Year 1981 or the level set by the one House. Public Law 97-51 expired on November 20.

While recommended appropriations for fiscal year 1982 were tens of billions under President Carter's original request, and billions under President Reagan's March request, the Committee was not able to achieve all the savings requested by President Reagan in September. His September request included a 12 percent across-the-board cut in discretionary non-defense programs, which the Committee could not support. As a result, H.J. Res. 357, the further Continuing Resolution adopted by the Committee after a strenuous, almost non-stop 20-hour conference with the House, was vetoed by the President. In its place, Congress sent to the President a simple extension of the previous resolution until December 15.

Subsequently two individual appropriations bills were signed by the President: H.R. 4144, making appropriations of $12,472,025,000 for Energy and Water Development, and H.R 4522, making appropriations of $557,170,000 in federal funds for the District of Columbia.

After the Presidential veto of H.J. Res. 357, a cooperative legislative/executive search for additional budget reductions was instituted. The effort led to the identification of an additional $2 billion in outlay savings, which were embodied in a substitute offered in the House of Representatives by Mr. Conte, ranking Republican on the House Committee on Appropriations, and developed with substantial input from the Senate Committee. This substitute was then agreed to by both Houses.

The continuing resolution set spending levels for the fiscal year which the President indicated he would accept for the remainder of the regular bills not yet enacted. Consequently, a number of conference reports were adopted, after further reductions were made to bring them to the levels established in the latest continuing resolution. These included: H.R. 4119, making appropriations of $20.8 billion for Agriculture, Rural Development, and Related Agencies; H.R. 4995, making appropriations of $199.7 billion for Defense; H.R. 4034, making appropriations of $60.4 billion for the Department of Housing and Urban Development and Independent Agencies; H.R. 4035, making appropriations of $7.2 billion for the Department of Interior and Related Agencies; H.R. 4241, making appropriations of $7.1 billion for Military Construction; H.R. 4209 making appropriations of $10.1 billion for the Department of Transportation and Related Agencies; and H.R. 4559, making appropriations of $11.5 billion for foreign operations.

Outlook

The Committee notes with dismay that while non-defense appropriated funds have been reduced this year at great sacrifice to the programs involved and the citizens served by these programs, uncontrollable expenditures continue to increase. These uncontrollable programs, combined with extraordinary inflation, have been responsible for the overwhelming majority of the increase in federal expenditures over the past decade, yet attention has remained focused on reducing outlays in programs which remain genuinely controllable. Discretionary programs are now close to their bare-bones level. The Committee deplores this situation, and believes that spending can never be brought under government control as long as so much of the budget cannot be reached through the conventional budget process. Thus the Committee welcomes the indications that the Administration will propose substantial reductions in entitlement programs in the second session of the 97th Congress.

COMMITTEE ON ARMED SERVICES

The Armed Services Committee's primary responsibility, under the able leadership of its chairman, Senator John Tower, is for matters relating to the common defense. The annual authorization process is the principal method by which the Committee reviews the policies, programs, and budget of the Department of Defense.

The Committee's authority in this area encompasses weapons development and procurements, military manpower and related matters.

In examining defense programs during the authorization process, the legislative and investigative functions of the Committee are often combined. For example, to determine manpower ceilings the committee will review manpower requirements and objectives in light of the perceived threat and present capabilities. During this review, the committee also evaluates the manpower objectives and whether they are being met by qualified personnel. Then, it will examine the planned changes in overall force structure, particularly as it relates to the addition of new ships and aircraft to any requested increase in manpower levels. The Committee carefully analyzes the annual Department of Defense authorization request to determine for itself whether or not such request is justified and then makes its recommendations to the Senate.

THE WORK OF SUBCOMMITTEES

The Subcommittees of the Senate Armed Services Committee always play a vital part in the Committee's work. The Subcommittees on Military Construction chaired by Senator Thurmond, Tactical Warfare chaired by Senator Goldwater, Strategic and Theater Nuclear Forces chaired by Senator Warner, Preparedness chaired by Senator Humphrey, Sea Power and Force Projection chaired by Senator Cohen, and Manpower and Personnel chaired by Senator Jepsen, devoted many hours examining the appropriate portions of the defense authorization request, greatly enhancing the full committee's ability to make constructive recommendations to the Senate.

OVERSIGHT AND REVIEW

One method by which the Committee performs its oversight functions is by requesting from the Secretary of Defense, the Secretaries and Chiefs of the military services, the Comptroller General, the Library of Congress, and the General Accounting Office reports on subjects that merit continuing congressional review. The process of acquisition of selected major weapons systems, for example, is monitored through a Department of Defense quarterly reporting system that is required by statute.

Nonlegislative investigations are another part of the Committee's defense related oversight responsibilities. These include committee, subcommittee, individual Senator and committee staff investigations into matters of public concern. For example, in June 1981 the Committee conducted hearings to receive testimony from Department of Defense and public witnesses on the potential effects of proposed reductions in impact aid on various school districts and on the dependent children of military personnel enrolled in public schools. In July the Committee held hearings to receive testimony from various officials on arms control issues. Also in July the Committee received testimony from Department of Defense officials on newly implemented defense procurement policies designed to combat waste, fraud, and abuse.

In a letter dated, September 17, 1981, Senator Charles Percy, Chairman of the Senate Foreign Relations Committee, requested that the Senate Committee on Armed Services review the military and technical implications involved in the proposed sale by the United States of certain air defense enhancements to Saudi Arabia—namely, AWACS aircraft, AIM-9L sidewinder missiles, KC-10 refueling aircraft, and conformal fuel tanks for F-15 aircraft. This information was necessary for the Senate Foreign Relations Committee to formulate a position on resolutions which had been referred to it and which provided for Congressional disapproval of the proposed sale. And on October 22, 1981, after several committee hearings, the Senate Committee on Armed Services submitted to the Senate Foreign Relations Committee a detailed report (Report No. 97-242) which discussed the military and technical implications associated with the sale of air defense enhancements to Saudi Arabia.

Of particular importance were the more than 10 hours of hearings on the President's program to modernize America's deterrent capability conducted by the Strategic and Theatre Nuclear Forces Subcommittee, under the able leadership of its Chairman John Warner. Chairman Warner provided the careful and rapid planning that was necessary to cover the entirety of the program. As the result of his work, almost half the testimony was given in open session so that it would be freely usable in Senate debate and available for other public discussions.

The Committee receives briefings each year from the Government intelligence agencies. All of these investigations and briefings increase the Committee's understanding of national security issues and better enable it to oversee national defense programs and policies.

LEGISLATIVE ACTIVITY

Under the leadership of Chairman John Tower, during the 1st session of the 97th Congress, the Armed Services Committee reported a total of six bills and resolutions to the Senate. The annual authorization bill for the Department of Defense was the major legislative item reported to the Senate by the Committee during the period. In addition, the Committee reported the DOD Supplemental Authorization Act of 1981, the Uniformed Services Pay and Benefits Act of 1981, the Military Construction Authorization Act of 1982, the Intelligence Authorization Act, 1982, the Energy National Security Program Authorization Act of 1982, and the Defense Officer Personnel Management Act (to make technical corrections to the Act). A summary of this legislation is included in this report.

SUMMARY OF LEGISLATION REPORTED BY THE SENATE COMMITTEE ON ARMED SERVICES

I. Department of Defense Supplemental Authorization Act, 1981 (Public Law 97-39, August 14, 1981)

Purpose of the Act

In addition to funds previously authorized to be appropriated in fiscal year 1981 for the Department of Defense, this Act authorizes:

1. additional appropriations for procurement of aircraft for the Army, Navy, Marine Corps and Air Force; missiles for the Army, Air Force and Marine Corps; naval vessels for the Navy; and tracked combat vehicles for the Army and Marine Corps;
2. additional appropriations for research, development, test, and evaluation for the Army, Navy, Air Force and Defense Agencies;
3. an increase in the active duty personnel end strengths for the Navy, Marine Corps and Air Force;
4. an increase in the number of Marine Corps Reserve members authorized to serve on full-time active duty for the purpose of organizing, administering, recruiting, instructing, or training;
5. an increase in the civilian personnel end strength for the Department of Defense;
6. an increase in the authorization of the annual military training student load for the Air National Guard;
7. additional appropriations for military construction projects; and
8. certain general provisions relating to the oprations of the Department of Defense.

The following is a Summary of Funds Authorized in the Act.

SUMMARY OF FUNDS AUTHORIZED IN ACT

[In thousands of dollars]

	March amended request [1]	Authorized
Title I:		
Procurement:		
Aircraft:		
Army	128,000	128,000
Navy and Marine Corps	143,600	143,600
Air Force	716,625	716,625
Subtotal	988,225	988,225
Missiles:		
Army	27,000	27,000
Navy		
Marine Corps	10,700	10,700
Air Force	209,369	205,900
Subtotal	247,069	243,600
Naval vessels	317,700	149,900

SUMMARY OF FUNDS AUTHORIZED IN ACT—Continued

[In thousands of dollars]

	March amended request [1]	Authorized
Tracked combat vehicles:		
Army	796,000	791,000
Marine Corps	11,300	11,300
Subtotal	807,300	802,300
Total, procurement	2,360,294	2,137,594
Title II:		
Research and development:		
Army	79,500	83,463
Navy	146,900	138,067
Air Force	330,900	242,462
Defense agencies	41,000	16,936
Director, test and evaluation		
Total, research and development	598,300	480,928
Total, procurement and research and development	2,958,594	2,184,225
Title VI:		
Military construction:		
Army	1,800	1,800
Navy	2,000	2,000
Air Force	56,100	55,240
Defense agencies	900	900
Family housing	16,022	0
Reserve forces	6,500	6,500
Total, military construction	83,322	66,440
Grand total	3,041,916	2,803,634

[1] Fiscal year 1981 supplemental.

The following is a summary of the Department of Defense manpower levels authorized in the act.

TITLE III—ACTIVE FORCES: SUMMARY OF AUTHORIZATION

	Request	Authorization
Active duty manpower, fiscal year 1981:		
Army	775,300	780,000
Navy	540,456	540,456
Marine Corps	190,600	190,600
Air Force	569,000	569,000

SEA PAY/SUB PAY TECHNICAL AMENDMENTS

The Congress considered three technical amendments to last year's sea pay/sub pay legislation and enacted these technical amendments along with the fiscal year 1981 defense authorization supplemental request.

Title IV—Reserve Forces: summary of authorization

Full-time Reserve personnel—Marine Corps:	
Request	133
Increase	(+66)
Authorization	133

Title V—Civilian personnel: summary of authorization

Request	1,013,900
Increase	+19,600
Authorization	1,012,250

TITLE VII—MISCELLANEOUS PROVISIONS

Since enactment of H.R. 7626, the Military Pay and Allowances Benefits Act of 1980, the need for certain technical changes had become apparent. H.R. 7626 granted the authority to accumulate ninety days leave under certain circumstances. Congress intended an effective date of October 1, 1979, for this provision in order to allow equal treatment for all who endured the prolonged Indian Ocean deployment both prior to and after the current January 1, 1981 effective date of the law. This change makes October 1, 1979, the effective date for the accrual of ninety days leave.

Additionally, certain members who were formerly entitled to incentive pay for the hazardous duty of submarine service were inadvertently denied eligibility for the new submarine duty incentive pay. A review of the Senate report on H.R. 7626 establishes that this was not the intent of Congress. Those excluded are operators or crew members of operational, self-propelled, submersibles, including undersea exploration and research vehicles. Also, the Congress recognized that a small group of members who serve periodically in submarines, but who do not have submarine designators (e.g., intelligence, supply and medical personnel) should also be entitled to the new submarine duty incentive pay. This Act provided that these personnel be made eligible when actually serving aboard submarines.

II. Department of Defense Authorization Act, 1982 (Public Law 97-86, December 1, 1981)

Purpose of the bill

For fiscal year 1982, this Act:

(1) authorizes appropriations for (a) major procurement, (b) research, development, test and evaluation by the Department of Defense, (c) operations and maintenance, and (d) civil defense;

(2) authorizes the personnel end strength for each military active duty component of the Armed Forces;

(3) authorizes the personnel average strengths for the Selected Reserve of each of the Reserve components of the Armed Forces;

(4) authorizes civilian end strengths for each military department of the Department of Defense;

(5) authorizes the annual average military training student load for each of the active and reserve components of the Armed Forces;

(6) imposes certain reporting requirements;

(7) imposes certain limitations with regard to specific procurement and R.D.T. & E. actions and manpower strengths, provides certain additional legislative authority, makes certain changes to existing law, and for other purposes.

This amendment was to the DOD appropriations bill, *not* the DOD authorization bill.

Overview of committee action on the bill

The congressional budget process places stringent time constraints on the Committee. By March 15, the Committee must provide the Budget Committee with target amounts for the national defense budget category for the Committee's deliberations and recommendations on the first concurrent budget resolution. The Committee recommended $227.4 billion in budget authority and $189.36 billion in outlays for fiscal year 1982. The first concurrent budget resolution included $226.3 billion in budget authority and $188.8 billion in outlays for the national defense budget category.

In deliberations on the defense authorization bill, fiscal and budgetary constraints were an important consideration. The Committee fully supported the congressional budget process and the concurrent resolutions on the budget throughout the authorization process.

The Senate Armed Services Committee, under Chairman Tower, gave careful consideration to the authorization bill in the 1st session of the 97th Congress. During the period January through December 1981, the committee and subcommittees held a total of 61 hearings, compiling approximately 10 volumes of printed testimony. Throughout consideration of this legislation, the full committee received important assistance from the Subcommittees on Military Construction, Tactical Warfare, Strategic and Theater Nuclear Forces, Preparedness, Sea Power and Force Projection and Manpower and Personnel.

Of significance during the consideration of the legislation was the increased emphasis given the Operation and Maintenance Budget by Senator Gordon Humphrey of New Hampshire, Chairman of the Subcommittee on Preparedness. In prior years, those rather mundane but important items within the O. & M. account, such as ammunition, spare parts, fuel, training and facilities maintenance, were regularly underfunded. As a result, military preparedness declined.

As a result of the increase in O. & M. funding, secured by Chairman Humphrey, 1982 will bring increases in supply and depot maintenance to eliminate maintenance backlogs for aircraft and combat vehicles. There will be significant increases for individual equipment and clothing for National Guard and Reserve Forces. There will be additions to funding for real property maintenance to begin to reduce the backlog of maintenance and repair that has resulted in deplorable living and working conditions of our military personnel. Furthermore, there will be provided increased flying hours for military aviation.

The Congressional Budget Act requires the Committee to report all authorization bills to the Senate by May 15. For fiscal year 1982, the Committee recommended authorization of $51.7 billion for procurement, $21.1 billion for research, development, technology and engineering, $63.5 billion for operation and maintenance and $127 million for civil defense, for a total authorization of over $136.5 billion. This total authorization was premised on a March 1981 Administration request of $136.5 billion. As a result of unexpected changes in general economic conditions, the Administration—in September 1981 while the Conferees of the House and Senate Armed Services Committees were considering the authorization bill—submitted a revised request of $130.3 billion. After a demanding conference with the House Conferees, the Committee returned to the Senate with a compromise bill authorizing $48.0 billion for procurement, $20.4 billion for research, development, technology and engineering, $62.2 billion for operations and maintenance and $.1 billion for civil defense, for a total authorization of $130.7 billion.

The following is a summary of the funding levels provided for in Titles I, II, III and VIII of the Department of Defense Authorization Act for fiscal year 1982:

SUMMARY OF DEPARTMENT OF DEFENSE AUTHORIZATION ACT, 1982

[In thousands of dollars]

Item	March 1981 request	October 1981 amended request	House	Senate	Authorization	Net change from October 1981 request
Title I:						
Procurement:						
Army aircraft	1,797,400	1,897,300	1,880,300	1,836,700	1,910,200	+12,900
Navy/Marine Corps aircraft	9,352,500	9,244,500	9,902,600	9,331,700	9,302,500	+58,000
Air Force aircraft	14,751,898	13,843,898	15,023,698	15,070,798	13,773,698	−70,200
Army missiles	2,842,500	2,210,200	2,745,800	2,469,100	2,146,900	−83,300
Navy missiles	2,555,000	2,567,000	2,549,800	2,555,000	2,567,000	0
Marine Corps missiles	223,024	223,024	223,024	223,024	223,024	0
Air Force missiles	4,658,246	4,204,646	4,593,246	4,731,746	4,186,846	−17,800
Naval vessels	10,190,100	8,475,300	10,290,100	10,118,600	8,795,900	+320,600
Army tracked combat vehicles	3,487,300	3,202,300	3,469,500	3,537,300	3,251,200	+49,900
Marine Corps tracked vehicles	271,739	281,600	281,739	281,739	281,739	+139
Torpedoes and related support equipment, Navy	516,600	516,600	516,600	516,600	516,600	0
Army other weapons	655,400	655,400	655,400	655,400	655,400	0
Navy other weapons	200,200	200,200	200,200	200,200	200,200	0
Marine Corps other weapons	136,344	136,483	136,344	136,344	136,344	−139
Air Force other weapons	3,047	3,047	3,047	3,047	3,047	0
Air National Guard	0	0	0	50,000	50,000	+50,000
Total, procurement	51,751,298	47,660,498	52,471,398	51,717,298	48,000,598	+340,100
Title II:						
Research, development, test, and evaluation:						
Army	3,905,200	3,768,500	3,741,470	3,910,500	3,746,299	−22,201
Navy	6,086,371	5,888,571	5,699,531	6,136,401	3,072,167	+183,596
Air Force	9,398,100	8,823,400	8,833,700	9,158,100	8,686,800	−136,600
Defense agencies	1,934,400	1,842,000	1,914,797	1,954,650	1,899,847	+57,847
Total R.D.T. & E	21,324,071	20,322,471	20,189,498	21,159,651	20,405,113	+82,642
Title III:						
Operations and Maintenance:						
Army	17,214,744	16,864,044	17,214,044	17,474,300	17,024,044	+160,000
Navy	20,682,210	20,189,810	20,684,410	20,657,210	20,130,410	−59,400
Air Force	19,249,340	19,056,552	19,230,740	19,256,420	18,898,140	−158,412
Marine Corps	1,235,839	1,217,239	1,245,739	1,260,539	1,249,939	+32,700
Defensewide	4,900,907	4,833,607	4,901,207	4,883,851	4,859,207	+25,600
Total O. & M	63,283,040	62,161,252	63,276,140	63,532,320	62,161,740	+488
Title VIII: Civil Defense	132,842	132,842	174,000	126,842	129,000	−3,842
Total authorization	136,491,251	130,277,063	136,111,036	136,536,111	130,696,451	+419,388

The following is a summary of the Department of Defense manpower levels recommended authorized in the Act:

	House	Senate	Authorization
Title IV—Active Forces:			
Army	786,368	785,800	780,300
Navy	554,900	554,300	554,600
Marine Corps	192,100	192,100	192,100
Air Force	586,832	582,400	580,800
Total	2,120,200	2,114,600	2,107,800
Title V—Reserve Forces:			
Army National Guard	392,800	392,800	392,800
Army Reserve	235,300	235,300	235,300
Naval Reserve	90,000	87,600	87,600
Marine Corps Reserve	37,600	37,600	37,600
Air National Guard	98,600	98,600	98,600
Air Force Reserve	62,800	62,800	62,800
Coast Guard Reserve	12,000	11,700	12,000

TITLE VI CIVILIAN PERSONNEL

The Act provides that the military student training load for the Air National Guard be 2,377—an increase of 220 over the Administration request.

TITLE IX GENERAL PROVISIONS

The following are the highlights of the General Provisions in Title IX of the Act:

1. Section 905.—Permits military personnel to assist civilian law enforcement activities—particularly illicit drug enforcement efforts.

2. Section 909.—Authorizes the Secretary of Defense under certain specified circumstances to execute multi-year contracts for the procurement of defense equipment and associated services in order to achieve significant savings and to provide greater defense industrial stability.

3. Section 911.—Repeals the Vinson-Trammell Act of 1934 which imposed profit limitations on the construction of military aircraft and naval vessels. There was universal agreement among federal agency representatives and civilian industry representatives that the provisions of this Act were obsolete and served neither the interests of the federal government nor industry.

Section 911 authorizes the President to submit new regulations to control excessive profits on defense contracts during periods of war or national emergency.

4. Section 914.—Prohibits the Department of Defense from doing business with contractors who have been debarred or suspended by another federal agency from providing equipment or services to the federal government.

5. Section 917.—Under certain circumstances, this provision prohibits the Secretary of Defense from obligating money for a particular program when such program has or is expected to exceed original funding estimates by more than a specified percent until

the Secretary submits a report to Congress, which report, among other things, provides an explanation of the cost overrun and outlines the steps to be taken to avoid further overruns.

III. Uniformed Services Pay Act of 1981 (Public Law 97-68, October 14, 1981)

Purpose of the Act

The primary purpose of the Act is to increase the pay and allowances and benefits for members of the uniformed services and certain dependents. The legislation provides for variable increases in the basic pay and allowances for members, depending on grade and years of service. The legislation also authorizes increases in the amounts payable, establishes new authority, or modifies existing authority for flight pay, diving pay, enlistment bonuses, bonuses for nuclear-qualified officers, hazardous duty pay, and allowances for Armed Forces Health Professions Scholarship Program participants.

The legislation also provides new authority for temporary lodging entitlements, advance payment of certain travel expenses incurred in conjunction with permanent change-of-station moves, travel allowances for military members and dependents stationed at certain adverse overseas locations or in conjunction with certain emergencies and further establishes certain limitations on travel and transportation entitlements for members separating or being released from active duty. In addition, among other things, this Act increases the number of senior Reserve Officers' Training Corps (ROTC) scholarships for the Navy and Air Force, and provides extended and increased authority for reimbursement of military members for alternate quarters when shipboard quarters are uninhabitable.

Background and Discussion

During the 96th Congress, significant increases in compensation were authorized for military personnel, including an 11.7 percent across-the-board pay raise, an additive Variable Housing Allowance, increases in flight and sea pay, improvements in permanent change-of-station reimbursements, and other improvements. Since enactment of these changes, some improvements in manning levels have been noted. However, Congress decided that further substantial improvements are necessary in fiscal year 1982 to provide necessary incentives for a career of military service, and to compensate members of the armed forces for the expenses they incur as a result of compliance with military orders. This Act addresses these needs by providing a wide range of general improvements plus specifically "targeted" increases aimed at enhancing career motivation and meeting manning needs in specific high-demand or hazardous skills. Set forth below is a summary of the officer and enlisted pay rates authorized in the Act:

COMMISSIONED OFFICERS [1]

Pay grade	Years of service computed under sec. 205 of title 37, United States Code													
	2 or less	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10	Over 12	Over 14	Over 16	Over 18	Over 20	Over 22	Over 26
0-10 [2]	$4,506.60	$4,665.30	$4,665.30	$4,665.30	$4,665.30	$4,884.30	$4,844.20	$5,215.20	$5,215.20	$5,588.10	$5,588.10	$5,961.90	$5,961.90	$6,333.90
0-9	3,994.20	4,089.90	4,186.20	4,186.20	4,186.20	4,292.70	4,292.70	4,471.20	4,471.20	4,844.10	4,844.10	5,215.20	5,215.20	5,588.10
0-8	3,617.70	3,726.00	3,814.50	3,814.50	3,814.50	4,089.90	4,098.90	4,292.70	4,292.70	4,471.20	4,665.30	4,844.10	5,038.20	5,038.20
0-7	3,006.00	3,210.60	3,210.60	3,210.60	3,354.30	3,354.30	3,549.00	3,549.00	3,726.00	4,098.90	4,380.60	4,380.60	4,380.60	4,380.60
0-6	2,228.10	2,448.30	2,608.20	2,608.20	2,608.20	2,608.20	2,608.20	2,608.20	2,696.70	3,123.60	3,283.20	3,354.30	3,549.00	3,849.00
0-5	1,782.00	2,092.80	2,237.10	2,237.10	2,237.10	2,237.10	2,305.20	2,428.80	2,591.40	2,785.50	2,945.40	3,034.20	3,140.40	3,140.40
0-4	1,502.10	1,828.80	1,951.20	1,951.20	1,986.90	2,075.10	2,216.40	2,341.20	2,448.30	2,555.40	2,626.20	2,626.20	2,626.20	2,626.20
0-3 [3]	1,395.90	1,560.60	1,668.30	1,845.90	1,934.10	2,004.00	2,111.70	2,216.40	2,271.00	2,271.00	2,271.00	2,271.00	2,271.00	2,271.00
0-2 [3]	1,217.10	1,329.30	1,596.90	1,650.60	1,685.10	1,685.10	1,685.10	1,685.10	1,685.10	1,685.10	1,685.10	1,685.10	1,685.10	1,685.10
0-1 [3]	1,056.60	1,099.80	1,329.30	1,329.30	1,329.30	1,329.30	1,329.30	1,329.30	1,329.30	1,329.30	1,329.30	1,329.30	1,329.30	1,329.30

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[1] Basic pay is limited to the rate of basic pay payable for level V of the Executive Schedule.

[2] While serving as Chairman of the Joint Chiefs of Staff, Chief of Staff of the Army, Chief of Naval Operations, Chief of Staff of the Air Force, or Commandant of the Marine Corps, basic pay for this grade is $6,998.50 regardless of cumulative years of service computed under sec. 205 of title 37, United States Code.

[3] Does not apply to commissioned officers who have been credited with over 4 years of active service as enlisted members or warrant officers.

COMMISSIONED OFFICERS WHO HAVE BEEN CREDITED WITH OVER 4 YEARS ACTIVE SERVICE AS ENLISTED MEMBERS OR WARRANT OFFICERS

Pay grade	Years of service computed under sec. 205 of title 37, United States Code										
	Over 4	Over 6	Over 8	Over 10	Over 12	Over 14	Over 16	Over 18	Over 20	Over 22	Over 26
0–3	$1,845.90	$1,934.10	$2,004.00	$2,111.70	$2,216.40	$2,305.20	$2,305.20	$2,305.20	$2,305.20	$2,305.20	$2,305.20
0–2	1,650.60	1,685.10	1,738.50	1,828.80	1,899.00	1,951.20	1,951.20	1,951.20	1,951.20	1,951.20	1,951.20
0–1	1,329.30	1,419.90	1,472.40	1,525.50	1,578.60	1,650.60	1,650.60	1,650.60	1,650.60	1,650.60	1,650.60

WARRANT OFFICERS

Pay grade	Years of service computed under sec. 205 of title 37, United States Code													
	2 or less	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10	Over 12	Over 14	Over 16	Over 18	Over 20	Over 22	Over 26
W-4	$1,422.00	$1,525.50	$1,525.00	$1,560.00	$1,631.40	$1,703.40	$1,774.80	$1,899.00	$1,986.90	$2,057.10	$2,111.70	$2,180.40	$2,253.60	$2,428.80
W-3	1,292.70	1,402.20	1,402.20	1,419.90	1,436.70	1,541.70	1,631.40	1,685.10	1,738.50	1,790.70	1,845.90	1,917.30	1,986.90	2,057.10
W-2	1,132.20	1,224.60	1,224.60	1,260.30	1,329.30	1,402.20	1,455.00	1,508.40	1,560.60	1,615.20	1,668.30	1,721.10	1,790.70	1,790.70
W-1	943.20	1,081.50	1,081.50	1,171.80	1,224.60	1,277.40	1,329.30	1,384.20	1,436.70	1,439.50	1,541.70	1,596.90	1,596.90	1,596.90

ENLISTED MEMBERS

Pay grade	Years of service computed under sec. 205 of title 37, United States Code													
	2 or less	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10	Over 12	Over 14	Over 16	Over 18	Over 20	Over 22	Over 26
E-9 [1]	0	0	0	0	0	0	$1,653.90	$1,619.40	$1,729.80	$1,769.70	$1,809.00	$1,844.10	$1,941.30	$2,130.00
E-8	0	0	0	0	0	$1,387.50	1,426.50	1,464.30	1,502.70	1,542.00	1,577.70	1,616.40	1,711.50	1,902.30
E-7	$968.70	$1,045.50	$1,084.50	$1,122.00	$1,160.70	1,197.30	1,236.00	1,274.10	1,331.70	1,369.50	1,408.20	1,426.50	1,522.20	1,711.50
E-6	833.10	908.40	946.50	986.40	1,023.00	1,060.50	1,099.20	1,155.90	1,192.20	1,230.60	1,249.20	1,249.20	1,249.20	1,249.20
E-5	731.40	796.20	834.60	870.90	927.90	965.70	1,004.40	1,041.30	1,060.50	1,060.50	1,060.50	1,060.50	1,060.50	1,060.50
E-4	682.20	720.30	762.30	821.70	854.40	854.40	854.40	854.40	854.40	854.40	854.40	854.40	854.40	854.40
E-3	642.60	677.70	705.00	732.90	732.90	732.90	732.90	732.90	732.90	732.90	732.90	732.90	732.90	732.90
E-2	618.30	618.30	618.30	618.30	618.30	618.30	618.30	618.30	618.30	618.30	618.30	618.30	618.30	618.30
E-1	551.40	551.40	551.40	551.40	551.40	551.40	551.40	551.40	551.40	551.40	551.40	551.40	551.40	551.40

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[1] While serving as Sergeant Major of the Army, Master Chief Petty Officer of the Navy or Coast Guard, Chief Master Sergeant of the Air Force, or Sergeant Major of the Marine Corps, basic pay for this grade is $2,589.00 regardless of cumulative years of service computed under sec. 205 of title 37, United States Code.

BASIC ALLOWANCE FOR QUARTERS

Pay grade	Without dependents		With dependents
	Full rate	Partial rate [1]	
Commissioned officers:			
0-10	$489.00	$50.70	$611.70
0-9	489.00	50.70	611.70
0-8	489.00	50.70	611.70
0-7	489.00	50.70	611.70
0-6	438.90	39.60	535.50
0-5	404.70	33.00	487.20
0-4	360.30	26.70	434.70
0-3	316.80	22.20	390.90
0-2	275.10	17.70	348.00
0-1	214.80	13.20	279.60
Warrant officers:			
W-4	347.10	25.20	419.10
W-3	309.60	20.70	381.60
W-2	269.10	15.90	342.60
W-1	243.00	13.80	314.70
Enlisted members:			
E-9	261.90	18.60	368.70
E-8	241.50	15.30	340.50
E-7	205.50	12.00	316.80
E-6	186.60	9.90	291.60
E-5	179.40	8.70	267.90
E-4	158.10	8.10	235.50
E-3	141.30	7.80	205.50
E-2	124.80	7.20	205.50
E-1	117.90	6.90	205.50

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[1] Payable to a member without dependents who, under sec. 403 (b) or (c) of title 37, United States Code, is not entitled to receive a basic allowance for quarters.

SPECIAL PAY FOR HAZARDOUS DUTY

Pay grade	Years of service computed under sec. 205													
	2 or less	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10	Over 12	Over 14	Over 16	Over 18	Over 22	Over 26	Over 30
E-9	$131	$131	$131	$131	$131	$131	$131	$131	$131	$131	$131	$131	$131	$131
E-8	131	131	131	131	131	131	131	131	131	131	131	131	131	131
E-7	100	106	106	106	113	119	131	131	131	131	131	131	131	131
E-6	88	94	94	100	106	113	119	119	125	125	125	125	125	125
E-5	83	88	88	100	100	106	113	119	119	119	119	119	119	119
E-4	83	83	83	88	94	100	100	100	100	100	100	100	100	100
E-3	83	83	83	83	83	83	83	83	83	83	83	83	83	83
E-2	83	83	83	83	83	83	83	83	83	83	83	83	83	83
E-1	83	83	83	83	83	83	83	83	83	83	83	83	83	83
E-4 under 4 months	83													
Aviation cadets	83													

Pay grade	Years of service as an air weapons controller													
	2 or less	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10	Over 12	Over 14	Over 16	Over 18	Over 20	Over 22	Over 24	Over 25
0-7 and above	$200	$200	$200	$200	$200	$200	$200	$200	$200	$200	$200	$200	$200	$200	$110
0-6	225	250	300	325	350	350	350	350	350	350	350	300	250	250	225
0-5	200	250	300	325	350	350	350	350	350	350	350	300	250	250	225
0-4	175	225	275	300	350	350	350	350	350	350	350	300	250	250	225
0-3	125	156	188	206	350	350	350	350	350	350	300	275	250	225	200
0-2	125	156	188	206	250	300	300	300	300	300	275	245	210	200	180
0-1	125	156	188	206	250	250	250	250	250	250	245	210	200	180	150

Of significance during Committee consideration of the legislation was an amendment offered by Senator Dan Quayle to increase hazardous duty pay by 50%. Hazardous duty pay had not been increased since 1955. Sen. Quayle's amendment would adjust the pay scales to reflect the changes in the economic climate for the many personnel who every day risk injury or loss of life.

Aviation career incentive pay

	Monthly rate
Phase I:	
Years of aviation service (including flight training) as an officer:	
2 or less	$125
Over 2	156
Over 3	188
Over 4	206
Over 6	400
Phase II:	
Years of service as an officer as computed under sec. 205:	
Over 18	370
Over 20	340
Over 22	310
Over 24	280
Over 25	250

This Act provides a new basic pay table for uniformed service personnel and cadets at the military academies. These changes are intended to:

Relieve pay "compression" by providing larger pay differentials between first-term and career members to provide a positive career inducement;

Enhance pay rates for middle and senior enlisted grades to provide greater incentives for promotion, career advancement, and retention;

Add new longevity increases at 24 and 26 years to encourage longer service among senior enlisted personnel, and at 16, 18 and 20 years for O–3's; and

Provide increased retention incentives for mid-career officers and officers whose superior performance merits early promotion.

In effect, the Act increased the basic pay of military personnel by amounts ranging from 10 percent to 17 percent depending on pay grade. Basic pay for pay grade E–1 would increase by 10 percent; for E–2 and E–3, 10.7 percent; for E–4, 13 percent; for E–5 and E–6, 16.5 percent; for E–7, E–8, and E–9, 17 percent; and for all warrant and commissioned officers, 14.3 percent. Basic allowance for quarters and basic allowance for subsistence would increase by 14.3 percent.

Other provisions of this Act are designed to improve the "quality of life" of military personnel and their families in order to improve retention rates among our more talented military personnel who have been leaving the service in increasing numbers for more attractive civilian positions.

*IV. Military Construction Authorization Act of 1982**

(97th Congress, S. 1408)

Purpose of the Act

The purpose of the Act is to provide construction and other related authority for the military departments, and the Office of the Secretary of Defense, within and outside the United States, in the total amount of $7,027,932,000.

Authorizations Granted

Authorizations recommended are set forth in the table below:

Total authorization granted, fiscal year 1982

Title I (Army):	
Inside the United States	$350,176,000
Outside the United States	464,730,000
Minor construction	34,150,000
Subtotal	849,056,000
Title II (Navy):	
Inside the United States	957,288,000
Outside the United States	236,445,000
Minor construction	32,510,000
Subtotal	1,226,243,000
Title III (Air Force):	
Inside the United States	657,141,000
Outside the United States	569,174,000
Minor construction	28,680,000
Subtotal	1,254,995,000
Title IV (Defense agencies)	304,890,000
Minor construction	6,210,000
Subtotal	311,100,000
Title V (NATO infrastructure)	425,000,000
Title VI (M-X)	366,000,000
Title VII (Military Family Housing):	
Construction	273,354,000
Operations and maintenance	2,040,184,000
Homeowners assistance	2,000,000
Subtotal	2,319,538,000
Title IX (Guard and Reserve Forces):	
Army National Guard	60,000,000
Army Reserve	50,000,000
Naval and Marine Corps Reserve	35,000,000
Air National Guard	100,000,000
Air Force Reserve	35,000,000
Subtotal	280,000,000
Grand total	7,027,932,000

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*Currently pending before the House of Representatives.

SUMMARY OF SENATE ACTION

The Department of Defense originally requested $6,660,536,000 in new authority to construct 737 projects at 405 installations, covering 49 States, the District of Columbia, and Puerto Rico and 22 foreign countries, and to operate and maintain the current inventory of 384,000 military family housing units. This request was amended during the review of the legislation to accommodate the revisions of the new administration in the amended amount of $7,028,842,000.

The Subcommittee on Military Construction and Stockpiles, under the chairmanship of the distinguished Senator Strom Thurmond, heard testimony from Department of Defense officials and from Service representatives in support of the bill at four different hearings. Special presentations were received on the high cost, special interest programs being requested.

After carefully reviewing each individual project in the request, the committee recommended elimination of some projects which it felt were of questionable validity or could be deferred without injury to the overall program. In addition, the committee has added certain high priority projects that are far enough along in design so that they can be put under contract in fiscal year 1982.

The following table summarizes Senate action:

[Dollar amounts in thousands]

	Original request	Amended request	Committee approved	Difference	
				Amount	Percent
Title I—Army	$813,265	$849,616	$849,056	−$560	
Title II—Navy	1,074,183	1,175,283	1,226,243	+50,950	+4
Title III—Air Force	1,610,000	1,680.955	1,254,995	−425,960	−25
Title IV—Defense agencies	248,400	326,100	311,100	−15,000	−5
Title V—NATO infrastructure	425,000	425,000	425,000	0	0
Title VI—MX			366,000	+366,000	+100
Title VII—Military family housing	2,284,888	2,368,888	2,315,538	−53,350	−2
Title IX—Guard and Reserve	204,800	203,000	280,000	+77,000	+38
Total	6,660,536	7,028,842	7,027,932	−910	0

V. Intelligence Authorization Act, 1982

Purpose of the Act

For fiscal year 1982 the Intelligence Authorization Act.

(1) authorizes appropriations for fiscal year 1982 for (a) intelligence activities of the United States, (b) the Intelligence Community Staff, and (c) the CIA Retirement and Disability Systems;

(2) authorizes the personnel end-strengths as of 30 September 1982 for (a) the Central Intelligence Agency, and (b) the Intelligence Community Staff; and

(3) authorizes supplemental appropriations for fiscal year 1981 for the intelligence activities of the United States.

The Classified Report and the Appendix

The classified nature of United States intelligence activities prevents the disclosure of details of the intelligence budget.

Under the leadership of Chairman Barry Goldwater, the Senate Select Committee on Intelligence, however, has prepared a classified report which describes in detail the full scope and intent of its actions and the specific amounts authorized for each of the major intelligence programs. In its unclassified report on S. 1127, Senate Report No. 97-57, the Senate Select Committee on Intelligence states that "the classified report, although not available to the public, will have the full force of any Senate Report, and that the intelligence community will comply with the guidelines, directions and limitations contained therein."

The Committee on Armed Services has prepared a classified appendix to the classified report of the Senate Select Committee on Intelligence referred to above. This appendix contains details of changes recommended by the Committee on Armed Services to the classified report of the Select Committee on Intelligence.

VI. Energy National Security Program Authorization Act of 1982

Purpose of the Act

This Act provides authority for appropriations to the Secretary of Energy for the operating expenses, capital equipment and construction costs related to the National Defense Programs of the Department of Energy.

Nominations

Another important function of the Committee under Senator Tower's leadership is to assist the Senate in exercising its constitutional duties in the nomination process. The Committee considers all nominations for the Department of Defense positions requiring the advice and consent of the Senate. During the first session of the 97th Congress, the Committee has acted on 29 statutory nominations, all of which were subsequently confirmed by the Senate.

Following hearings and favorable Committee reports, Caspar W. Weinberger was confirmed as Secretary of Defense, Frank C. Carlucci was confirmed as Deputy Secretary of Defense, John O. Marsh, Jr. was confirmed as Secretary of the Army, John F. Lehman, Jr. was confirmed as, Secetary of the Navy, George Vernon Orr, Jr. was confirmed as Secretary of the Air Force, William H. Taft, IV, was confirmed as General Counsel of the Department of Defense, Richard D. DeLauer was confirmed as Under Secretary of Defense for Research and Engineering, and Thomas K. Turnage was confirmed as Director of Selective Serice. In addition, over 58,295 nominations for military promotions were routinely considered by the Committee and approved by the Senate.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Under the leadership of the distinguished Senator from Utah, Jake Garn, the Committee on Banking, Housing, and Urban Affairs has emphasized two major priorities during the first session of the 97th Congress. First, the Committee has reduced the rapid growth of spending for housing, urban development, urban mass transit, and export subsidies. Second, the Committee reduced and streamlined Federal Government regulatory interference in State and local government decisions about housing and development, in business practices and recordkeeping, and in exports from the United States. The Committee has also made substantial progress toward legislation to remove unnecessary statutory and regulatory restrictions on the operation of financial institutions.

The Banking Committee's reductions in Federal spending are accomplished by title III of the Omnibus Budget Reconciliation Act of 1981, P.L. 97-35. For the four fiscal years 1981 through 1983, this title saves $62 billion in budget authority and $6.6 billion in government outlays. This budget authority savings in Banking Committee programs is over one-third of the total budget authority savings of $176 billion in the Reconciliation Act. Thus, the Banking Committee with the support and leadership of Senator Richard Lugar's Housing Subcommittee had a major role in accomplishing the budget savings of this landmark legislation. Senator Lugar's commitment to improve Federal housing and community development programs facilitated the passage of the Housing and Community Development Act Amendments of 1981, which among other important benefits, reduced Federal intrusion into local decisionmaking as well as costly overregulation and created a state administered small cities block grant program.

The Committee also increased the efficiency of Federal housing programs through changes adopted in the Reconciliation Act. By reducing the cost of assisting each needy family, housing assistance programs can help more families with the limited government subsidies available. Senator William L. Armstrong, Chairman of the Economic Policy Subcommittee, led the charge for permanent tax and spending reduction, increasing military pay, and assuring that public housing serves the nation's poor.

The second priority of the Banking, Housing, and Urban Affairs Committee has been to reduce unnecessary statutory and regulatory restrictions. Reductions in excessive regulations have been accomplished through the Committee's Title III of the Reconciliation Act and other legislation passed by the Senate as recommended by the Committee.

As part of the Reconciliation Act, the principal urban development program, community development block grants, has been deregulated to reduce burgeoning administrative hurdles forced in the path of local governments seeking "entitlement" community development grants, Statutory constraints on local government decisions about the appropriate type of housing assistance for their area have also been reduced. These and other changes lessen improper Federal interventions in what should be local decisions.

The Business Accounting and Foreign Trade Simplification Act, S. 708, passed the Senate on October 9, 1981, based on the Banking Committee's recommendations.

This will remove unnecessary regulatory restraints and uncertainties about the responsibility of U.S. companies for the actions of third parties and about the legality of common practices in other countries that are necessary to facilitate U.S. exports. These excessive regulations result from the Foreign Corrupt Practices Act of 1977. The bill will also remove excessive recordkeeping requirements imposed by the accounting provisions of that act.

Other legislation was also enacted in 1981 upon the Committee's recommendation. The Cash Discount Act, enacted on July 27, 1981, removes the 5 percent limitation and regulatory constraints on cash discounts that have inhibited the ability of merchants to offer discounts to cash paying customers. The George Washington Commemorative Coin Act, authorizing the minting of one silver commemorative half dollar to commemorate the two hundred fiftieth anniversary of the birth of George Washington, was enacted on December 9, 1981. The Senate passed the Olympic Coin Act on December 9, 1981, authorizing the Secretary of the Treasury to mint special coins commemorating the 1984 Los Angeles Olympics.

At the Committee's recommendation the Senate also passed the Export Administration Act Amendments of 1981, S. 1112. These amendments will increase the efficiency of export controls and reduce duplication of effort by enhancing the deterrent effect of penalties and by increasing information sharing among the enforcing agencies.

The International Banking Facility Deposit Insurance Act was enacted at the end of the session. The principal parts of this act will allow banks to offer international banking services in the United States as competitively as those offered in foreign financial centers and enable the Federal Home Loan Mortgage Corporation and the Federal National Mortgage Association to continue their highly successful programs which improve the liquidity of mortgage lenders by exchanging older mortgages for mortgage securities. Other provisions in this act will equalize the fees lenders pay to participate in this mortgage "swap" program, will provide an orderly and cost-effective transition to the new requirements under the Truth-in-Lending Simplification Act of 1980, will clarify restrictions on interlocking relationships by management officials of depository financial institutions, will permanently allow Alaskan Natives to be members of the Federal Credit Union, Alaska USA, and will extend the time available to complete a project building houses for moderate-income homebuyers.

Finally, the Committee has begun to develop a consensus to continue deregulation of financial institutions. This will ensure the continued financial integrity of depository institutions and enhance their ability to offer financial services to serve the needs of individual and business consumers. On October 7, the Committee Chairman, Senator Garn, introduced S. 1720 which contains seven titles. Many of these titles were introduced separately this year by other Committee members, with provisions ranging from municipal revenue bond underwriting authority for commercial banks and commercial lending powers for savings and loan associations to an increase in deposit insurance to $250,000 on IRA/Keogh retirement accounts.

By introducing this legislation, conducting hearings and promoting discussions among interested parties, the Committee should complete action next year which will remove unnecessary statutory and regulatory restrictions on the operation of banks and thrift institutions. The need for this type of comprehensive legislation is a result of steadily increasing competition within the financial service industry which has made existing laws and regulations obsolete in many cases.

Committee on the Budget

The first session of the 97th Congress has been an extraordinary period for the Senate and no less so for the Committee on the Budget led by its distinguished chairman Senator Pete Domenici. In the first seven months of 1981, the Committee's work focused largely on the spending reductions proposed in the President's Economic Recovery Plan. Through the reconciliation procedure under the Budget Act, it was possible to move the President's spending reductions through Congress in a single Omnibus Bill which the President signed into law on August 13th. This bill reduced Federal spending below the levels it would have otherwise reached by $37.1 billion in fiscal year 1982, $45.1 billion in fiscal year 1983 and $51.7 in fiscal year 1984. Savings in years beyond 1984 will be even larger. The Budget Committee was in the center of the work on this unprecedented legislation.

In addition to its work on reconciliation, the Budget Committee developed the First Budget Resolution for fiscal year 1982 and reviewed all pending legislation for consistency with overall Congressional policies.

DECISION TO USE RECONCILIATION PROCEDURES

Given the enormous economic problems facing the nation, and the scope and dimension of the spending reductions with which the President sought to implement his election mandate, it quickly became clear that the traditional legislative process was not likely to deliver comprehensive results within the time period in which action was needed. The logical alternative was the reconciliation process under the Budget Act. Senators Grassley and Gorton worked unendingly both in Committee and on the floor of the Senate to bring these procedures to fruition. Where other approaches have failed, reconciliation has proven to be the first successful method to reduce the rate of growth of the Federal Government. The decision to use the reconciliation process was a Congressional decision. It could not have been employed without support from a majority in both chambers. The strong support of the Senate majority leadership and the cooperation of the House leadership were also essential. The reconciliation procedure was used because it is the only existing mechanism which assures that Congressional decisions on aggregate fiscal policies are in fact implemented by the standing committees according to an established time table. Furthermore, while compelling unified action, reconciliation preserves the fundamental roles of the authorizing and appropriating committees as the primary policy makers with respect to specific programs.

RECONCILING AUTHORIZATIONS

A key component of the decision to use the reconciliation process was the reconciliation of authorizations. The authorizing committees were assigned the initial responsibility for reducing the levels of spending permitted in programs within their jurisdiction. This enabled the authorizing committees to recommend priorities among those programs over which they have jurisdiction so that the remaining funds would be spent for the highest priority purposes. It also avoided placing on the Appropriations Committee most of the burden of achieving fiscal restraint.

S. CON. RES. 9—INITIAL SENATE VERSION OF RECONCILIATION INSTRUCTIONS

After reviewing the President's proposal, the Committee on the Budget provided the Senate with recommended levels of spending reductions and provided the committees with a wide variety of options which could be used to achieve those reductions. The first step was the reporting on March 23, 1981, of S. Con. Res. 9. This was a free-standing reconciliation instruction in the form of an amendment to the Second Budget Resolution for FY 1981. This resolution called for spending reductions in excess of $35 billion in fiscal year 1982 and $87 billion over the fiscal year 1982-83 period. It assumed reductions in more than 200 programs and directed Senate Committees to begin immediately the major task of marking up the necessary legislative revisions and proposals. S. Con. Res. 9 passed the Senate on April 2, 1981, by an overwhelming majority of 88-10. Senator Quayle suggested the inclusion of funding for the alcohol fuels loan guarantee program, and the way was paved for a colloquy on the Senate floor which made possible the inclusion of funding during conference consideration.

S. CON. RES. 19—SENATE VERSION OF FIRST BUDGET RESOLUTION FOR FY 1981

Shortly after the Senate approved S. Con. Res. 9, the Committee on the Budget reported S. Con. Res. 19, the First Concurrent Resolution on the Budget for Fiscal Year 1982 (which additionally revised the Second Concurrent Resolution on the Budget for Fiscal Year 1981). Because the House preferred to go to conference on one legislative vehicle and address FY 1984 as well, the reconciliation instructions contained in S. Con. Res. 9 were expanded and incorporated into S. Con. Res. 19 which covered FY 1981-84. Once again, the spending reduction procedures and instructions received the overwhelming support of the Senate and S. Con. Res. 19 was approved by a vote of 78-20 on May 12, 1981. The conference with the House was completed in one day because the House bill through adoption of the "Gramm-Latta" version had been substantially modified by floor substitute, so that it was quite similar to the

Senate's resolution. The final version of the resolution was approved on May 21, 1981, by a vote of 76-20.

S. 1377—RECONCILIATION BILL

The Committee on the Budget is responsible under section 310 of the Congressional Budget and Impoundment Control Act of 1974 for packaging the legislative recommendations made by the committees of jurisdiction in response to reconciliation instructions. Thus, on June 17, 1981, the Committee on the Budget reported S. 1377, the Omnibus Reconciliation Act of 1981, a bill of about 650 pages in length and supported by explanatory material of over 600 pages. After minor modification via floor amendments, this historic legislation was passed by a vote of 80-15 on June 25, 1981.

Extraneous material

During Senate consideration of the Reconciliation bill, extensive debate centered on the inclusion of so-called "extraneous material"—provisions that did not directly relate to reducing expenditures—in the bill. A number of Senators argued that such provisions should not be protected against filibuster or non-germane floor amendments under the provisions applicable to reconciliation bills. The Committee on the Budget has no power to edit the submissions of the instructed committees. Thus, committees were free to include matter in their submissions that was not directed to the goal of spending reductions. Only a small portion of the provisions in the bill were clearly extraneous, however. The Senate leadership sought and obtained a unanimous consent agreement, exempting from budget act protection provisions that were clearly extraneous. In addition, a number of extraneous provisions were dropped by the originating Committees.

Reconciliation conference

The conference on the Reconciliation Act consumed a full month. Given the extraordinary magnitude of the legislation, the conference deliberations were characterized by a clear bi-partisan desire to achieve the level of spending reductions achieved by the two chambers in their separate bills. More than 250 Senators and Representatives participated in this conference and 59 subconferences were established to negotiate and resolve differences on the multitude of legislative provisions contained in the House and Senate-passed bills.

The conference concluded its exhaustive work on July 29. The mammoth bill came back from the House on July 31 and passed the Senate by a vote of 80-14 on July 31, 1981.

Multi-year budgeting

In addition to the use of the reconciliation process, the First Concurrent Resolution on the Budget for Fiscal Year 1982 contained another major step forward in the improvement of the budget process. The House and Senate were, for the first time, able to agree on the spending and revenue targets for fiscal years 1983 and 1984 as well as the totals for the fiscal year 1982. This resolution demonstrated that a multi-year approach to budgeting is feasible within the current procedural framework. Only through such an approach can the Senate have the necessary information and perspective to make rational decisions for today and tomorrow.

Credit budgeting—off-budget spending

Although the Federal budget encompasses nearly $700 billion of direct federal spending, it does not deal adequately with the nearly $150 billion of direct loan and loan guarantees granted by agencies of the federal government. Similarly, the deficit shown in the familiar federal budget is substantially augmented by the nearly $20 billion of off-budget deficit. Most of this off-budget deficit can be attributed to the credit activities of the Federal Financing Bank.

The Committee on the Budget attempted this year to expand the scope of the budget process to encompass more fully the total activities of the federal government. For the first time, the First Concurrent Resolution on the Budget for Fiscal Year 1982 established targets for Federal credit activities distributed by budget functions. In doing so, it established targets for both direct loans and loan guarantees for all federal on and off-budget agencies. Additionally, the resolution called upon the Executive to limit the off-budget activities of the Federal Financing Bank to levels consistent with Congressional policy. The Budget committee has established a task force to recommend further measures that Congress might wish to take.

Delayed enrollment of spending bills

As part of the First Concurrent Resolution on the Budget for Fiscal Year 1982, the Committee on the Budget recommended, and Congress adopted, a provision to delay enrollment of appropriation and direct spending bills which exceed committee or subcommittee allocations under the budget resolution. This procedure, described in Section 301(b) of the Congressional Budget Act, provides Congress with the opportunity to re-examine spending decisions which depart from budget resolution assumptions before legislation is signed into law. This "second-look" reflects the Congress' commitment to review its fiscal and revenue policy decisions in the aggregate and, when appropriate, to revise such actions to comport with Congressionally-established policies.

Key role of other committees

Although the Committee on the Budget was the primary coordinator of the reconciliation process, its successful use was an achievement of the entire Senate. The responsible committees supported the responsible instructions and implemented the instructions as they emerged from the House-Senate conference. The committees then helped manage the floor action on the reconciliation bill and led the work in the many reconciliation sub-conferences.

In the context of an effective budget process in general, and the Reconciliation Act and the First Concurrent Resolution on the Budget in particular, the determination of the committees of jurisdiction to live within the limits established by the Congress as a whole has been and will continue to be the bedrock upon which an effective budget process must rest.

Since its inception, the Committee on the Budget has consistently sought out the advice and opinions of the standing committees of the Senate and has given their priorities the greatest possible weight in the committee's deliberations on the contours of the federal budget. This year, as in every year, budget decisions reflected the will of the Senate which has never hesitated to use its prerogative to revise the priorities recommended by the Committee on the Budget.

Second budget resolution

The work of the Budget Committee after the August recess was directed primarily to the development of the Second Concurrent Budget Resolution for FY 1982. The resolution was approved by the Senate on December 9th and by the House on December 10th.

Both the timing and the content of the Second Resolution were greatly affected by developments in the nation's economy and by a new set of policy recommendations submitted to Congress by President Reagan on September 24, 1981. The delay in action on the Resolution beyond the September 15th target date specified in the Budget Act also stemmed partially from the fact that work on the Reconciliation Act consumed time the Budget Committee would normally have spent in developing the Second Resolution.

When Congress reconvened after the August recess, it was informed that the President would shortly submit revised budget proposals for FY 1982. The September 24th Presidential address to the nation and subsequent messages to Congress proposed substantial further spending reductions, along with certain revenue enhancement actions. The President's proposals took into account the worsening economic picture and its effects on the Federal Budget deficit.

The President's proposals proved to be quite controversial. For several weeks, the Republican leadership in the Senate worked on a possible counter-proposal. It proved impossible to develop a plan that could attract sufficient support in both Houses to have a chance of passage. As a result, many of the actions recommended by the President on September 24 were not approved by Congress.

In November, the Budget Committee met for a total of five days in an effort to develop the Second Budget Resolution. It proved impossible for the Committee to reach agreement on substantive revisions of the First Budget Resolution, even though it was clear that economic develoments had caused the targets in the First Budget Resolution to become outdated. The Committe finally decided to recommend that Congress simply reaffirm the First Budget Resolution for the time being. In making this recommendation the Committee recognized several realities:

1. A comprehensive plan developed by Chairman Domenici for moving the Federal Budget toward balance was not endorsed by the Administration and was defeated in the Committee by a 12 to 10 vote.

2. The House Budget Committee had concluded that a reaffirmation of the First Budget Resolution was the only version of a Second Resolution that could be passed by the House.

3. The Administration was in the midst of its budget preparations for the FY 1983 cycle and would not have its new policy recommendations available until January 1982.

4. It became clear that projections of large deficits for the next several years and the softness in the nation's economy would require comprehensive policy deliberations not feasible in the waning days of this session of Congress.

In addition to reaffirming the First Budget Resolution, Congress included in the Second Budget Resolution language (1) reaffirming the goal of a balanced budget, (2) calling on the President to submit comprehensive proposals to provide maximum progress toward a balanced budget and (3) directing the Senate Budget Committee to report a revised Second Budget Resolution for FY 1982 and a First Budget Resolution for FY 1983 no later than March 31, 1982.

1981 in perspective

What distinguishes the first session of the 97th Congress from the standpoint of its handling of budget issues, is that this was the first time a majority of both chambers believed that the overriding obligation of the House and the Senate to the public was to reduce substantially the growth of federal spending. The key action of the Senate Budget Committee was to lead the way in using the budget process to achieve this vital goal. The Budget Act provided the legislative mechanism to achieve dramatic revisions of federal fiscal policy as proposed by the President and supported by a majority of the American people.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Under the leadership of Chairman Bob Packwood of Oregon, the first session of the 97th Congress proved to be an extremely busy and productive legislative session for the Committee on Commerce, Science, and Transportation. To date, a total of 116 bills and 8 amendments have been referred to the Committee, and 39 bills and resolutions have been reported by the Committee to the Senate. This legislation touches on issues in virtually every key economic, regulatory, and scientific sector in the U.S. economy, including those relating to aviation, communications, surface transportation, merchant marine, space, oceans, and the consumer.

Throughout the legislative process, the Committee has sought to deregulate economic activities to ensure that the consumer receives better service at less total cost, to reestablish the appropriate role of Congress in the establishment of key national policy issues, and to stimulate innovative thinking and approaches in efforts to solve key national problems and increase the national well-being.

This legislative philosophy has manifested itself in such legislation as that relating to Conrail, which best illustrates the commitment of the Federal Government to return the railroad industry to the private sector; to Amtrak, where significantly greater management flexibility to operate on a more economic basis was mandated; and to communications, where the Telecommunications Competition and Deregulation Act of 1981 created a deregulatory environment for the Nation's telecommunications industry for the first time in almost 50 years.

COMMUNICATIONS

During the first session of the 97th Congress, the Communications Subcommittee, under the leadership of Sen. Barry Goldwater of Arizona, fostered Senate passage of legislation, creating for the first time in almost 50 years, a deregulatory environment for the Nation's telecommunications industry. In both broadcasting and domestic common carrier industries, the actions of the Senate have regained for Congress (not the FCC or the Courts) its appropriate role of establishing national telecommunications policy.

LEGISLATIVE ACCOMPLISHMENTS—A SUMMARY

S. 270, the Radio Deregulation Act of 1981.—Introduced on January 27, 1981, by Senator Schmitt, and cosponsored by Senators Packwood, Goldwater, Pressler, Stevens, Cannon, and Hollings. Hearings were held before the Subcommittee on Communications on February 26 and 27, 1981. S. 270 was included, in substance, by amendment to S. 1377, the Omnibus Reconciliation Act of 1981 (P.L. 97-35). The amendment was adopted by the Senate on June 25, 1981, by a vote of 55-40. The House-Senate Reconciliation Conference, held on July 26, 1981, adopted significant provisions of S. 270, specifically a seven-year license term for radio broadcast licensees; a lottery to be used to select between competing applicants; and reimbursement of competing applicants subject to FCC approval.

S. 271, the International Record Carrier Competition Act of 1981.—Introduced on January 27, 1981, by Senator Goldwater, and cosponsored by Senators Packwood, Schmitt, Pressler, Cannon, Hollings, and Inouye. Hearings were held before the Subcommittee on February 18, 1981. S. 271 was reported by the full Committee on March 12, 1981, and passed by the Senate by voice vote on June 22, 1981. The Bill repeals Section 222 of the Communications Act of 1934. It would thus permit the FCC to allow Western Union to provide international telecommunications services.

S. 601, the Television Licensing and Renewal Act of 1981.—Introduced on March 3, 1981, by Senator Goldwater, cosponsored by Senators Packwood, Schmitt, Pressler, Stevens, Kasten, Cannon, Hollings, Inouye, Ford, Riegle, and Exon. Hearings were held before the Subcommittee on March 23 and 30, 1981. S. 601 was included, in substance, by amendment to S. 1377, the Omnibus Reconciliation Act of 1981 (P.L. 97-35). The amendment was adopted by the Senate by a vote of 55-40. The House-Senate reconciliation conference, held July 26, 1981, adopted a five-year license term for television broadcast licensees, authorized a lottery system to be used in selecting among competing applicants, and subject to FCC approval, allows for reimbursement of competing applicants.

S. 720, the Public Telecommunications Act of 1981.—Introduced on March 17, 1981, by Senator Goldwater, and cosponsored by Senators Packwood, Schmitt, and Pressler. Hearings were held before the Subcommittee on April 6 and 8, 1981, and the bill was reported out of full Committee on April 7, 1981. Although S. 720 remains on the Senate Calendar (No. 122), it was included, in substance, as an amendment to S. 1377, the Omnibus Budget Reconciliation Act of 1981 (P.L. 97-35) on June 25, 1981, by a 55-40 vote of the Senate. This measure, as approved in the House-Senate reconciliation conference, retains a forward-funding concept for public broadcasting by authorizing appropriations of $130 million for three years beginning in 1984. The Conference agreement further authorized for public telecommunications facilities the following amounts: $20 million for 1982; $15 million for 1983; and $12 million for 1984.

S. 821, the Federal Communications Commission Authorization Act of 1981.—Introduced on March 27, 1981, by Senator Packwood, and cosponsored by Senators Goldwater, Schmitt and Pressler. Hearings were held before the Subcommittee on May 1, 1981. The bill was reported by the Committee on May 6, 1981. Although S. 821 appears on the Senate Calendar (No. 98), several significant parts of it were enacted as an amendment to S. 1377, the Omnibus Reconciliation Act of 1981 (P.L. 97-35). For the first time since its establishment in 1934, this measure adopts a two-year (1982-1983) authorization for the Federal Communications Commission at $76 million for each year. Also enacted was an authorization for the National Telecommunications and Information Administration at $16.4 million for 1982. This agency had not been previously subject to Congressional authorization.

S. 898, the Telecommunications Competition and Deregulation Act of 1981.—Introduced by Senator Packwood on April 7, 1981, and cosponsored by Senators Goldwater, Schmitt, Stevens, Kasten, Kassebaum, Pressler, Cannon, and Inouye. Hearings were held before the Subcommittee on June 2, 11, 15, 16, and 19. S. 898 was reported by the Committee on July 16, 1981, and was passed by the Senate on October 7, 1981. The purpose of S. 898, the Telecommunications Competition and Deregulation Act is to encourage marketplace competition in telecommunications service and equipment, and to deregulate telecommunications services while establishing appropriate safeguards so as to prevent anticompetitive practices. Generally, S. 898 provides for the classification of carriers to be regulated, permits only a fully separated affiliate of a dominant-regulated carrier (AT&T is so classified) to provide competitive services and equipment, prohibits a regulated carrier from providing cable services in the same operating area, and provides for the prevention of cross-subsidization of the fully separated affiliate by the dominant-regulated carrier. The bill ensures that basic telephone service will continue to be available at reasonable rates.

S. 929, the Amateur Radio Service and Private Land Mobile Services Act of 1981.—Introduced by Senator Goldwater and cosponsored by Senators Packwood, Schmitt, Pressler, Stevens, Cannon, Hollings, and Inouye. The Committee reported S. 929 on September 18, 1981, and appears on the Senate Calendar (No. 273). S. 929 amends the Communications Act of 1934 to provide for improved administration of the amateur radio service and land mobile and fixed services by the Federal Communications Commission to address the problem of radio-frequency interference to certain electronic equipment, to permit volunteer assistance to the Federal Communications Commission in the area of examinations licensing, and enforcement in the amateur radio service.

S. 1629, the Broadcast Deregulation Act of 1981, provides as follows:

1. The FCC shall encourage the development of new and diverse sources of broadcasting programming;
2. The FCC shall eliminate unnecessary or anticompetitive broadcast rules and regulations;
3. Radio stations are not required to provide news, public affairs, locally produced, or any other programs; to adhere to any programming format; to maintain program logs; to ascertain the problems, needs and interests of its service area; or to restrict the amount, length, frequency, or scheduling of commercial matter;
4. The FCC shall renew a broadcast license if it finds that the operation of the station has been free of serious violations of the Communications Act or the rules and regulations promulgated thereunder, and that, with respect to television broadcast stations, the licensee substantially met the problems, needs, and interests of the residents of its service area in its program service;
5. No competing applications shall be considered by the FCC at renewal time for both radio and television licensees; and
6. The FCC shall encourage new and additional services, and such services will be presumed to be in the public interest if they are found to be technically feasible without causing significant technical degradation to, or interference with, other radio transmissions.

AVIATION

Senator Nancy Kassebaum, Chairman of the Aviation Subcommittee, developed legislation reauthorizing the Airport and Airway Development Act (ADAP). Her measure, S. 508, was reported to the Senate on May 15. A major feature of Mrs. Kassebaum's meassure is the "defederalization" of 69 large and medium hub airports which are basically self-sufficient. This approach furthers current efforts to reduce the Federal presence in our economy while allowing the government to concentrate its resources on those airports most in need of development assistance. This measure is of great importance to small and mid-sized communities whose economic health relies heavily on the availability of well-maintained airport facilities.

S. 508 reauthorized the airport and airway development program for fiscal years 1981 through 1985 making a number of amendments to the existing program which promotes the safety and development of the airport and airway system.

The bill provides capital development funds for over 3,000 publicly used airports. It also provides that the Nation's 69 largest airports would become ineligible for federal airport development assistance after September 30, 1982; 40 airports by September 30, 1981, and 29 more by September 30, 1982.

Those airports that become ineligible to receive Federal assistance for airport development and airport planning would be permitted to charge a passenger facility charge. This would give the defederalized airports an additional source of revenues which can be used to replace the funds lost by defederalization.

Qualifying states would be given a block grant to administer for development of small commercial service and general aviation airports within their boundaries, $54 million per year would be allocated to the states for this purpose. Airports located in non-participating States would continue to apply to the Secretary of Transportation to obtain their project grants.

S. 1377, the omnibus reconciliation bill, authorized the expenditure of $450 million from the Airport and Airways Trust Fund for FY 81 for airport development by extending certain provisions of the Airport and Airway Development Act of 1970.

SURFACE TRANSPORTATION

The Surface Transportation Subcommittee, under the leadership of Senator John Danforth of Missouri, was responsible for formulating policy for two of the most important transportation issues facing the new Administration—Amtrak and Conrail. Amtrak has been given a new direction which has been long in coming: to operate as any private sector railroad should, free of government regulation and management. For the first time since its birth, the Consolidated Rail Corporation (Conrail) has begun the long needed process of rationalizing its system to meet the transportation needs of its shippers with a concurrent goal of financial independence. The Subcommittee also dealt with many other rail issues including the rehabilitation of historic Union Station, as well as motor carrier issues long awaiting Congressional action.

S. 1192: Union Station Redevelopment Act of 1981.

Amends the National Visitor Center Facilities Act of 1968 to provide for the rehabilitation and completion of Union Station;

Declares the facility shall be used primarily as a transportation center and secondarily as a commercial complex;

Transfers responsibility of the facility from Department of Interior to the Department of Transportation;

Authorizes funds for the accelerated purchase of the facility over a six-year period for an additional annual payment of $275,000 (A savings of $27.8 million over the original 25-year lease/purchase agreement);

Authorizes the expenditure of $1 million of authorized funds from the Northeast Corridor Improvement Program (NECIP) for a study to determine the extent of deterioration; prepare a construction plan and detailed cost estimates to provide for the structural integrity of the building; within 12 months after enactment, the Secretary is to submit a report to Congress along with a plan/costs and a commitment of funds from authorized NECIP funds or from other authorized programs to be determined by the Secretary;

Utilizes Federal Highway funds allocated to the District of Columbia Department of Transportation to complete the parking facility and associated ramps;

Authorizes the Secretary of Transportation to contract out space in the building, not used for transportation facilities, to a private developer for commercial development.

S. 1192 will provide for a final resolution to the critical issue of the rapid deterioration of the historic Union Station building; return the facility back to its original primary use as a transportation center and provide efficient facilities for passengers; provide for commercial development to generate funds to be used for the operation/maintenance of the facility to insure ongoing economic self-preservation and take the financial burden off of the taxpayers.

S. 1100 was introduced by Chairman Packwood, and ordered reported out of the Senate Commerce Committee. In turn, its provisions were incorporated in S. 1377.

The purpose of the legislation is to end federal subsidies for Consolidated Rail Corporation (Conrail) by a date certain. It also ensures continued rail service in the Northeast and Midwest with the least amount of disruption to shippers, rail passengers, employees, other railroads, and communities.

The legislation provides for the transfer of Conrail's freight and passenger operations. On the freight side, the legislation directs the Secretary of Transportation to transfer Conrail to the private sector only as an entity through June 1, 1983. After that date, the Secretary may transfer Conrail's lines to several different purchasers, depending on whether the railroad meets certain profitability tests or needs additional federal funding. In transferring the freight lines, the Secretary is required to ensure continued rail service and to maximize the return to the Federal Government on its investment. To ensure continued rail operations during the transfer process, the legislation authorizes $262 milion for Conrail subsidies.

On the passenger side, the legislation provides for the transfer on January 1, 1983, of Conrail's commuter operations to a newly established commuter entity (Amtrak Commuter Services Corporation) or to the state and local authorities for whom Conrail now provides these services. To help in the orderly trnasfer of these services, the legislation authorizes $50 million.

The legislation repeals existing labor protection provisions which give Conrail employees deprived of employment the right to collect their salaries until age 65. The legislation replaces these provisions. Under the new law, employees deprived of employment because of any transfer of Conrail's lines or the abandonment of such lines are entitled to a lump-sum payment pursuant to a schedule worked out by the Secretary of Labor and representatives of rail labor. In addition, in order to permit Conrail to reduce its labor costs, the legislation provides for the elimination of 4600 excess employees. Further, the legislation provides for the orderly transfer of Conrail employees to acquiring railroads. The legislation authorizes $385 million to cover the costs of the new labor protection program.

In addition to the above provisions, the legislation provides for the establishment of a new Board of Directors of the United States Railway Association. The Board is to determine whether Conrail is profitable, review the Secretary of Transportation's transfer plans, and report to Congress on the financial viability of Conrail. The legislation authorizes $13 million for the USRA in fiscal 1982, and $4 million in fiscal 1983.

Conrail is a large railroad serving 16 states in the Northeast and Midwest. Those states contain one-half of the total U.S. population and manufacturing capacity. Conrail is a billion dollar business which handles 237 million tons of freight annually. It transports daily 450,000 one-way passengers. It has 79,000 employees.

Since Conrail's creation five years ago, the Federal Government has spent $6 billion on Conrail. Despite this, Conrail still is not profitable. Further, the labor protection program established for Conrail's employees has proved to be the most expensive in labor history, with estimates in the future ranging in the billions. These costs are far greater than ever expected.

The Conrail legislation is significant in ensuring that those who now depend on Conrail's services will continue to receive such services in the future. Further, any changes are designed to ensure the least amount of disruption to all concerned. The legislation is also significant from the standpoint of returning Conrail to the private sector and ending federal subsidies of the railroad. Finally, the legislation puts an end to Conrail's costly labor protection program and establishes one in its place that is fair and reasonable.

S. 1199. The Amtrak Improvement Act of 1981 was introduced by Chairman Packwood, and ordered reported out of the Senate Commerce Committee. In turn, its provisions were incorporated in S. 1377. The law contains a two year authorization for Amtrak, $735 million for fiscal 1982 and $788 million for fiscal 1983. To ensure a more cost effective performance, Amtrak is required to recover 50 percent of its costs, excluding capital costs, from it revenues, including non-federal contributions, in fiscal year 1982. The law also contains important provisions calling for Amtrak to realize cost savings in many areas including food service, in which Congress feels that current losses could be reduced considerably or eliminated. The Amtrak Board of Directors is revised. The membership is reduced from seventeen to nine and the actual makeup of the Board is altered to be more representative of parties interested in Amtrak.

The new law ensures the continuation of a national passenger rail system. Amtrak is given greater flexibility to improve overall performance and to make decisions which will create an efficient and cost effective rail passenger system.

Local Rail Service Assistance: The law authorizes the Local Rail Service Assistance Program at $40 million for fiscal 1982, $44 million for fiscal 1983, and $48 million for fiscal 1984. The law also makes certain changes in the program including changing the federal share from 80 percent to 70 percent with the state contributing the remaining 30 percent.

The Local Rail Service Program provides important grant assistance to states for rail planning and support of service on rail branch lines. The program is intended to cushion shippers from the effects of potential or actual abandonments. Each state is guaranteed 1 percent of annual appropriations.

Northeast Corridor Improvement Project: The law provides that not more than $200 million be authorized for the Northeast Corridor Improvement Project in fiscal 1982 and not more than $185 million in fiscal 1983. The Secretary is also required to complete the Project in accordance with the goals established in the Railroad Revitalization and Regulatory Reform Act of 1976.

The Northeast Corridor is an important part of the national transportation system. The authorized funds will be used to complete Project improvements.

Railroad research and development: The law provides for an authorization of $40 million for fiscal 1982. The authorization for this program ensures that important railroad research and development continues while at the same time federal spending in the area is reduced.

Minority business resource center: The law provides for an authorization of $10 million for fiscal 1982, 1983 and 1984.

The continuation of this program ensures small minority business will be involved in revitalization projects going on in the railroad industry.

Office of the Secretary: The law provides for an authorization of $35,193,204 for fiscal 1982, 1983 and 1984. Allocation of these funds, per year, within the Department for official reception and representation expenses shall not exceed $27,000. $10,486,615 is authorized for fiscal 1982, 1983 and 1984 for conducting national transportation planning, research and development activities.

Funding the Office of the Secretary allows the Secretary to continue the essential duties and functions of the office.

Transportation research and special programs: The law authorizes $30,047,000 for fiscal 1982, $32,300,000 for fiscal 1983 and $33,300,000 for fiscal 1984 for this program.

The law ensures that the important functions of this program continue.

Federal Railroad Safety Act of 1970: The law authorizes $27,650,000 for fiscal 1982 for this program.

The law provides that important improvements and progress in railroad safety continue, while at the same time reducing the federal investment in the area.

S. 1198/S.1377 reduces FY 82 spending by $320 million in budgetary authority (including $20 million for enforcement of the 55-mph speed limit) and $110 million in outlays. For each FY 82, FY 83, and FY 84, $100 million is authorized for National Highway Traffic Safety's portion of the Section 402 highway safety program. For FY 82, the Section 402 highway safety program will continue to operate as it has in the past. For FY 83, and FY 84, funding will be targeted on those programs and activities which are determined to be "most effective" in reducing accidents, deaths and injuries. On October 1, 1982, the Gray Amendment will be repealed, thereby allowing the National Highway Traffic Safety Administration to repeal or revise the 18 highway safety standards after that date. No funding is provided for the following programs: innovative grants, 55-mph incentive grants, accident data, and 55-mph categorical grants. The school bus driver training program is phased out over a three-year period. The enforcement criteria for the 55-mph speed limit has been reduced.

S. 1198/S. 1377 reduces areas of Federal regulation (a) by deleting mandatory program requirements for State highway safety programs; and (b) by setting compliance with 55-mph speed limit at current FY 81 50 percent level (reducing added costs otherwise for States to achieve higher compliance).

Interstate Commerce Commission (ICC): The law provides that authorizations for the ICC shall not exceed $79 million for fiscal 1982, $80,400,000 for fiscal 1983 and $80,400,000 for fiscal 1984. The importance of the law is to ensure that the ICC has the funding to continue its functions and programs.

S. 1000 amends the Independent Safety Board Act of 1974 to include aviation incidents within the scope of investigation of transportation accidents by the National Transportation Safety Board. Grants Board investigations priority over certain other investigations conducted by federal regulatory agencies.

It also authorizes appropriations for such investigations and reporting. It contains funding levels of $18,540,000 for FY 81, $19,925,000 for FY 82 and $22,100,000 for FY 83.

S. 100 continues authorization for the National Transportation Safety Board, while somewhat expanding its authority.

S. 1099, amending the Natural Gas Pipeline Safety Act of 1968, is an amendment giving the Secretary of Transportation greater flexibility in the scheduling of meetings for the Hazardous Liquid Technical Pipeline Safety Standards Committee. An amendment providing a slightly longer period within which an aggrieved party may file for judicial review of an administrative order. An amendment authorizing $1,000 million for appropriations for fiscal year 1983 for operations of the Hazardous Liquid Pipeline Safety Program. An authorization of $3.466 million to carry out the Natural Gas Pipeline Safety Program in each of FY 82 and FY 83. An authorization of $3.618 million to administer the Natural Gas State Grant-in-Aid Program in each of FY 82 and FY 83.

The legislation would amend the Natural Gas Pipeline Safety Act of 1968 and the Hazardous Liquid Pipeline Safety Act of 1979 and authorize appropriations for FY 82 and FY 83.

S. 960, as reported, provides an authorization of $8.332 million for each of FY 82 and FY 83 to carry out the Hazardous Materials Transportation Act of 1974. The bill also provides for a more coordinated and consistent Federal, State and local effort in the prevention of transportation involving hazardous materials and the emergency response to such incidents by promoting a greater State and local role in incident prevention and emergency response through Federal training and planning assistance.

S. 1402, the Uniform Motor Vehicle Standards Act of 1981, was ordered reported from the Senate Commerce Committee on December 10, 1981.

S. 1402, as reported does the following:

(1) Sets federal minimum trailer length standards of 48 feet for tractor-trailer combinations and 28 feet for "doubles" (a tractor followed by two semi-trailers);

(2) Permits a state to authorize trucks up to 102 inches in width to operate on the interstate highways. The federal standard for truck width is 96 inches;

(3) Requires the Department of Transportation to study the safety productivity and fuel efficiency of turnpike doubles (a tractor followed by two 45 foot trailers); and

(4) Requires that certain trucks be equipped with splash guards for safety purposes.

S. 1879, the Milwaukee Railroad and Rock Island Railroad Amendments Act, provides an expedited arbitration process whereby purchasers of the Rock Island Railroad estate's properties and/or the estate's trustee can petition the Interstate Commerce Commission to determine a "fair value" for properties. The legislation also authorizes the Interstate Commerce Commission to permit carriers to provide service (without subsidy) over the defunct Rock Island Railroad lines. It was reported on December 10, 1981.

BUSINESS, TRADE, AND TOURISM

As Chairman of the Senate Business, Trade, and Tourism Subcommittee, Senator Pressler was the original sponsor of S. 304, the National Tourism Policy Act. The Senate passed the conference report of S. 304 on September 29, 1981, and the House passed it on October 1st. President Reagan signed S. 304 into law on October 16th.

The National Tourism Policy Act is the result of seven years of study and discussion by Congress, several Administrations and representatives of the U.S. travel and tourism industry. P.L. 97-63 creates the new post of Undersecretary of Commerce for Travel and Tourism, and an Executive Branch interagency coordinating council for federal policy on tourism, and a private sector Travel and Tourism Advisory Board for the Department of Commerce. This law acknowledges the crucial role of the travel and tourism industry in our nation's economy and establishes the part the Federal Government shall play in coordinating and promoting this important and growing service industry.

The final version of this bill differs considerably from its original form. As first introduced, S. 304 called for the creation of an independent agency to carry out the tourism promotion programs of the federal government. This independent agency would have replaced the U.S. Travel Service which is a division of the Commerce Department.

As signed by the President, Public Law 97-63 does the following:

(1) Renames the U.S. Travel Service the U.S. Travel and Tourism Administration.

(2) Elevates the Assistant Secretary for Tourism to the level of Undersecretary.

(3) Outlines a formal policy toward tourism which commits the federal government to a program of assisting with the development of the industry and the maximization of its benefits.

(4) Creates a Travel and Tourism Advisory Board comprised of industry members. The Board shall confer with the Secretary of Commerce on the implementation of federal tourism policy.

(5) Creates a cabinet level coordinating council which shall provide a forum for the discussion and resolution of conflicts

within the federal establishment which may have a negative impact on the travel and tourism industry.

S. 1104, International Investment Survey Act reauthorization: In addition to reauthorizing the program for 1982 and making a number of technical changes, this legislation provides the Act with a permanent authorization. In the future, there will not be a need for specific legislation to authorize the International Investment Survey Act; it will simply be a part of the Commerce Department's overall budget request.

S. 1105, A Bill To Reauthorize The U.S. Travel Service For Fiscal Year 1982 was introduced on May 4, 1981; reported by the Commerce Committee on May 6, 1981; and passed by the full Senate on June 2, 1981.

The purpose of S. 1105 is to reauthorize the U.S. Travel Service within the Department of Commerce (USTS). The USTS is the arm of the Federal Government which carries out programs to attract foreign tourists to the United States. Foreign tourists spent $12 billion in the United States in 1980, which makes tourism one of our largest foreign trade revenue producers.

The anticipated budget for the U.S. Travel Service for fiscal year 1982 is approximately $7.6 to $8.0 million.

The purpose of S. 1256, the Retail Dealer's Agreement Act, is to provide remedies to dealers of office machinery who may be encountering problems with the manufacturers of such equipment.

At the current time, dealers possess very few contractual rights compared to those retained by the manufacturers who supply them with the products they sell. The one-sided nature of the existing contracts has resulted in many unfair business practices being used by the manufacturers. These practices include such things as:

(1) Termination of the dealership with little or no notice.

(2) Termination without just cause.

(3) Imposition of arbitrary and unreasonable sales quotas.

(4) Failure to supply manuals, parts and related supplies in a timely fashion

Through S. 1256, dealers of office equipment are given certain protections, as well as recourse to federal courts should a dispute arise with a manufacturer. It is hoped that by giving the dealers standing in federal court, the manufacturers will begin to treat the dealers in a more equitable fashion.

S. 1808. A Bill To Authorize An Undersecretary of Commerce For Economic Affairs, is a part of the Commerce Department's reorganization plan. The purpose is to consolidate the duties of two Assistant Secretaries into a single Undersecretary for Economic Affairs.

The positions being consolidated are the Assistant Secretary for Policy and the Chief Economist. Besides elevating the status of the Commerce Department's economic analysis functions, the consolidation is also resulting in a personnel savings of some 44 positions.

The new Undersecretary will oversee the following offices within the Commerce Department:

(1) The Assistant Secretary for Productivity, Technology and Innovation

(2) The Assistant Secretary for Economic Analysis and Policy

(3) The Bureau of Economic Analysis

(4) The Bureau of the Census

The Undersecretary will also be the Department's chief spokesperson on questions of economic analysis and planning.

S. 1687 made a correction in S. 1104, the International Investment Survey Act reauthorization. The bill was introduced and passed on September 30, 1981.

SCIENCE, TECHNOLOGY, AND SPACE

During the first session of the 97th Congress, the Subcommittee, under the leadership of Senator Harrison Schmitt from New Mexico, has reauthorized the National Aeronautics and Space Administration Act, the National Climate Program Act, the National Earthquake Hazards Reduction Program Act, and the National Science Foundation Authorization Act. The focus of the Subcommittee's activities under Schmitt's direction has been to maintain our leadership in science and technology as part of the economic recovery program so that the investment in science and technology can be the basis for sustaining a strong economy and national defense.

S. 1098—National Aeronautics and Space Administration Authorization Act for fiscal year 1982:

The bill is an annual authorization bill for NASA. Six days of hearings were held. The bill was reported favorably out of Committee, May 6, without objection.

Although the bill was $100 million over the March budget request, the members of the Committee were sufficiently concerned about NASA research and development capabilities in space science, space applications and aeronautics to approve the authorization without any opposition. The bill passed the Senate by voice vote on May 21, 1981. A conference was requested by the Senate. The Committee on Conference agreed to the conference report on November 21, 1981. The conference report was passed by the Senate by unanimous consent on November 23, 1981. The conference report passed the House on December 8, 1981, and is awaiting signature by the President.

S. 999, the Earthquake Hazards Reduction Act, was introduced as an original bill, S. 1001, to extend authorization for appropriations for fiscal year 1982. S. 1001 was passed by the Senate on April 29, 1981. The House added S. 1001 as an amendment to another bill, S. 999, the Fire Prevention and Control Act, which was subsequently passed in both houses and signed into law as P.L. 97-80 on November 20, 1981.

S. 1002, Amendments to the National Climate Program, was introduced as an original bill to authorize appropriations for fiscal year 1982 for continued operation of a number of related programs in the Department of Commerce and for coordination of related programs in Agriculture, Defense, Energy, Interior, NASA, NSF, and NOAA. These programs are intended to increase knowledge of material and human-caused climatic processes and their implications for material and physical resources. S. 1002 passed the Senate on May 5, 1981.

S. 1094, the National Science Foundation Authorization was reported by the Committee as an original bill this year for the first time. Funds are authorized for mathematical and physical sciences; engineering; biological, behavioral and social sciences; astronomical, atmospheric, earth, and ocean sciences; ocean drilling programs; Antarctic research programs; scientific, technological, and international affairs; cross directorate programs; program development and management; and science and engineering education.

THE NATIONAL OCEAN POLICY STUDY

The National Ocean Policy Study is a Senate forum for ocean policy issues. Membership in the study is not limited to members of the Committee on Commerce, Science, and Transportation and, therefore, does not have subcommittee authority to report legislation. Oceanic legislative initiatives and authorizations are approved by the full Committee.

Four major authorizations of interest to NOPS were addressed by the Committee in the first session of the 97th Congress.

S. 1186—An original bill to amend the Marine Mammal Protection Act of 1972, as amended, to extend the authorization of appropriations for fiscal years 1982, 1983, and 1984 and with technical amendments concerning marine mammal-fishery interactions and the management of marine mammals by the States instead of the Federal Government.

S. Res. 148—In addition, S. Res. 148, a resolution calling for a moratorium of indefinite duration on the commercial killing of whales was introduced on June 1, 1981. The resolution directs the United States Delegation to the International Whaling Commission to work towards this goal. S. Res. 148 recognizes that whales are important living resources that need to be scientifically studied and protected and urges the U.S. Delegation to the International Whaling Commission to work toward the adoption of such a moratorium.

S. 1133—NACOA reauthorization:

This bill authorizes the National Advisory Committee on Oceans and Atmosphere at a level of $555,000 for FY 82. In addition, two technical amendments would:

1. Allow members to serve beyond their terms until replacements are appointed,
2. Raise the daily compensation rate to parity with the executive agencies.

The Administration request is for $555,000 for FY 82, and such sums as may be required for FY 83 and FY 84.

The House has agreed to the Senate bill.

MERCHANT MARINE

During the 1st session of the 97th Congress, the Merchant Marine subcommittee established new precedent in the areas of Coast Guard and Merchant Marine. Under the leadership of Senator Slade Gorton of Washington, the subcommittee worked with the administration to seek long-awaited regulatory reform in international liner shipping. The existing maritime subsidy programs came under close scrutiny. Legislation in both of these areas was introduced and hearings were held. The Committee will continue its consideration of these initiatives during the second session.

Under the leadership of Committee Chairman Bob Packwood, the Coast Guard was accorded strong support. Hearings revealed the need for high funding levels for this vital service. This high level of concern can be expected to continue into the second session of the 97th Congress.

S. 831—Fiscal year 82 Coast Guard authorization;

Recognizing the vital role the Coast Guard plays in national defense, commercial and recreational vessel safety, search and rescue, environmental protection, icebreaking, and the President's direction for increased drug enforcement and immigration control, the Commerce Committee authorized a high level of funding for 1982. After a complete hearing, the Committee reported S. 831 on the calling for a total Coast Guard budget of $1.99 billion for FY 1982.

The U.S. Coast Guard is the sixth largest navy in the world, yet its vessels are perhaps the oldest. Thus, the Committee placed special emphasis on vessel and aircraft acquisition and construction.

Broad Senate support of this reauthorization was evidenced by Senate passage of S. 831, on May 4, and a subsequent letter signed by 34 Members requesting high funding by the Appropriations Committee.

S. 1003—Marine sanctuaries reauthorization:

An original bill to amend Title III of the Marine Protection, Research and Sanctuaries Act of 1972 as amended to authorize appropriations for FY 82 and FY 83.

The Senate bill authorizes $2.235 million for FY 82 and $2.235 for FY 83.

The House has agreed to the Senate bill.

S. 1191—Fishermen's Protection Act reauthorization;

A compromise bill agreed to in July, extends the authorization to FY 82, FY 83 and FY 84, for such sums as may be required. In addition, two riders suggested by Senator Gorton were added, declaring the Green River in Washington an unnavigable river, and exempting fishing tender vessels from inspection for a five-year period.

S. 1017—Fiscal year 82 Maritime Administration authorization:

First introduced and reported from the Commerce Committee on S. 1017, this authorization was ultimately enacted, with amendments to the Merchant Marine Act of 1936, as part of the Omnibus Budget Reconciliation Act (P.L. 97-34). Funding was authorized at levels requested by the Administration; funding for vessel construction subsidies were eliminated; adjustments were made to increase slightly the ceiling on ship construction loan guarantees; and subsidized U.S.-flag operators were permitted to construct vessels overseas under limited circumstances.

Also passed was a routine private relief bill to waive the Jones Act to permit two specific fishing vessels to engage in coast wise trades.

CONSUMER

During the first session of the 97th Congress, the Consumer Subcommittee, under the leadership of Senator Robert W. Kasten, worked on legislation to reauthorize two important consumer agencies, including a major effort to reform Consumer Product Safety Commission legislation, and the Subcommittee participated in an initial legislative step toward reform in the product liability area.

LEGISLATIVE ACCOMPLISHMENTS

S. 1155, the Consumer Product Safety Amendments of 1981:

S. 1155 was introduced by Senator Kasten on May 11, 1981, following comprehensive Consumer Subcommittee hearings on the performance of the Consumer Product Safety Commission on April 1, 2, 3, and 7, 1981. The Senate Commerce Committee reported the bill without opposition on May 12, 1981. S. 1155 was considered during the Conference on the House and Senate budget reconciliation measures, which included similar Consumer Product Safety Commission legislation passed by the House. The House-Senate Budget Reconciliation Conference, held July 24-26, 1981, adopted in substantial part the provisions of S. 1155, which was then enacted as part of the Omnibus Reconciliation Act of 1981 (P.L. 97-35). This measure reauthorizes the Consumer Product Safety Commission for 2 years (FY 1982 and 1983) at $33 million and $35 million, and it makes a number of substantive and procedural reforms in the agency's rulemaking, enforcement, and data dissemination authority.

S. 1096, the Product Liability Risk Retention Act:

S. 1096 was introduced by Senators Kasten and Packwood on May 4, 1981, and was reported by the Senate Commerce Committee on July 29, 1981, without opposition. S. 1096 received widespread bipartisan support and was cosponsored by 17 Senators. On September 11, 1981, the Senate agreed by unanimous consent to postpone action on S. 1096 and to pass H.R. 2120, an identical bill which had previously passed the House. The Risk Retention Act was signed into law on September 25, 1981 (P.L. 97-45). The Act permits product sellers to form their own insurance cooperatives, called "risk retention groups" and to purchase product liability insurance on a group basis.

S. 999, a bill to authorize appropriations for the Federal Fire Prevention and Control Act:

Following a hearing on March 11, 1981, the Senate Commerce Committee acted on April 23, 1981, to report S. 999 as an original bill, S. 999 passed the Senate by unanimous consent on April 29, 1981. Somewhat different authorizing legislation passed the House on October 13, 1981, as an amendment to S. 999. On November 5, 1981, a compromise bill was passed again by both Houses.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Senate can take great pride in the legislative achievements of the Committee on Energy and Natural Resources under the leadership of its distinguished Chairman James McClure during the First Session of the 97th Congress. During this session the Committee considered and favorably reported forty nominations submitted by the President, all of which were confirmed by the Senate. Those nominations included two cabinet officers (the Secretary of the Interior and the Secretary of Energy), the Chairman of the independent Federal Energy Regulatory Commission, and the first chairman and four Directors of the newly established United States Synthetic Fuels Corporation. The remaining nominations filled the numerous subcabinet positions in the aforementioned organizations.

The Committee's other activities during the First Session reflected a new increased emphasis on oversight of existing laws, increased support for administrative remedies to identified issues, and strong support for regulatory reform in the programs within the jurisdiction of the Committee. Legislatively, the Committee has reported numerous bills during the First Session, twenty-five of which have passed the Senate and nine of which have become public laws. It may be objectively concluded that in both the energy jurisdictional area and the natural resources jurisdictional area, those bills and public laws have made a substantial contribution to the new policy directions set forth by the Reagan Administration and the Republican Senate, as well as materially advancing our national interests and the benefits of the American people.

In the energy field, successful Committee initiatives included the first multi-year authorization for the Department of Energy, with authorized funding levels consistent with the President's budget, new off-budget financing for the Strategic Petroleum Reserve, and needed regulatory reforms in the areas of natural gas use by electric power plants and mandatory energy conservation requirements, all of which were contained in the Omnibus Budget Reconciliation Act of 1981. Other Committee actions sustained by Senate vote include (1) the President's decision to decontrol crude oil and avoid extension of the Emergency Petroleum Allocation Act, (2) extensions of the existing International Energy Agency antitrust exemption, and (3) approval of the Alaska natural gas pipeline waiver package submitted by the President. Consistent with budget cutting efforts, Senator Frank Murkowski, chairman of the Subcommittee on Water and Power was able to move through the Senate the Alaska Natural Gas Pipeline Waiver Package—the largest privately financed construction project in history. Senator Murkowski's three days of hearings on the measure, S.J. Res. 115, and his participation in the floor debate proved critical to its passage by the full Senate on November 19, 1981. The Committee also completed initial action on comprehensive nuclear waste legislation which is pending on the Senate Calendar. All of these actions together make a substantial beginning in the legislative implementation of the Reagan Administration's energy policies.

In the natural resources area, the Committee focused its attention on needed federal lands policy issues related to mineral leasing reform, with actions on tar sands leasing, oil shale leasing, and geothermal leasing. In the Omnibus Budget Reconciliation Act of 1981, the Committee established, for the first time, almost department-wide authorization limitations on the programs of the Department of the Interior and the Forest Service in the Department of Agriculture as well as the Advisory Council on Historic Preservation and the Pennsylvania Avenue Development Corporation. The Committee also began, to be completed in the next session, action on long-awaited reclamation law reform and final action on wilderness designations and related release under the Roadless Area Review Evaluation program. Additionally, the Committee considered numerous proposals for budgetary reforms related to current funding mechanisms for natural resource programs such as the Land and Water Conservation Fund and the payment-in-lieu of taxes program. The Committee also completed action, and the Senate passed legislation, to retrofit existing western dams with relatively significant hydroelectric generation capacity to meet the needs of our western states for additional electric power from existing structures. These and other actions supported the Reagan Administration's aggressive redirection of the natural resource policies of the previous Administration.

In summary, the Committee on Energy and Natural Resources in this first session of the 97th Congress, under Republican leadership, has made substantial progress in establishing a new direction in energy and natural resource policies. I am pleased on that basis to submit the enclosed report.

Led by Senator McClure, the Committee on Energy and Natural Resources during the first session of the 97th Congress completed action on a broad variety of executive and legislative issues. In the area of Executive Calendar action, the Committee considered and favorably reported forty nominations submitted by the President. All of the reported nominations were confirmed by the Senate and the nominees are in office today. The nominations included two Cabinet officers (the Secretary of the Interior and the Secretary of Energy), the Chairman of the independent Federal Energy Regulatory Commission and the first Chairman and four Directors of the newly-established Synthetic Fuels Corporation under the Energy Security Act of 1980. The remaining nominees filled sub-Cabinet positions in the two Departments, and FERC. Several of the nominations involved extensive investigation and multiple hearings to establish firmly the full qualification of the nominees for the appointed positions. As noted, all of the nominations submitted by the President have been considered and confirmed during this session of the Senate. Fourteen days of nomination hearings were held by the Committee.

One of the primary objectives of Chairman McClure during the 97th Congress has been to increase the emphasis on the oversight of existing laws rather than focus almost exclusively on legislation to enact new laws. Additionally, the Committee has intentionally increased the emphasis on supporting administrative action to provide remedies for identified problems and issues and on regulatory reform through the administrative process. Consequently, the Committee has devoted considerable time in formal hearings and informal meetings to these non-legislative priorities. This emphasis is reflected in 97 days of oversight hearings and 2 days of workshops.

Legislatively, the Committee, under Chairman McClure, has compiled an extensive record of activities in the energy field and in the natural resource field. The Committee has reported numerous bills in this session of the Senate, twenty-five of which have passed the Senate and nine of which have been enacted as public laws during the session. These bills have covered the full spectrum of the Committee's jurisdiction from energy regulation to federal energy programs to federal lands policy and federal resource management. With the exception of some of the less significant legislation, the Committee's action on legislation this year has been intended to advance the new policies of the Reagan Administration and the Republican Senate. In many cases, those policies often have been the subject of a broad consensus of bipartisan support within the Committee and in the Senate.

In the energy field, the Committee focused its early attention on the almost immediate decontrol of crude oil by the President after the Inauguration. The President's action in that decontrol was sustained by the Senate overwhelmingly and efforts to extend controls under the Emergency Petroleum Allocation Act were defeated. Obviously, much of the first half of the session also was devoted to actions in the Omnibus Budget Reconciliation Act of 1981. That legislation included for the first time a multi-year authorization for the programs of the Department of Energy with authorization levels for each of the three fiscal years under consideration and statutory procedures for programmatic funding under those authorization limitations. The Reconciliation legislation also included off-budget financing for the Strategic Petroleum Reserve program consistent with reconciliation instructions. The legislation also included provisions which amended the Powerplant and Industrial Fuel Use Act of 1978 to allow the use of natural gas in existing electric powerplants and to streamline coal conversion procedures for electric powerplants. In addition, the legislation amended existing law to repeal mandatory energy conservation standards and substitute voluntary performance standards for new buildings.

During this session the Committee reviewed in oversight hearings the provisions of existing law after expiration of the Emergency Petroleum Allocation Act for the standby allocation of crude oil on petroleum products in the event of a severe supply interruption. Those oversight hearings lead to legislative consideration of a bill to enact new, limited authority for the President to allocate crude oil and petroleum products in the event of such an interruption under very strict limitations and restrictions, where marketplace forces would not satisfy fundamental economic requirements. That legislation eventually was passed by the Senate by a vote of 85 to 7.

The Committee reported and the Senate passed overwhelmingly the President's waiver package for the Alaska Natural Gas Pipeline pursuant to expedited procedures in existing law. Senator

Murkowski's three days of hearings on the waiver were instrumental in its adoption by the Senate. The waiver package, if enacted, would provide the legal basis for private financing for the pipeline project, while retaining essential protections for consumers and other interests in the lower forty-eight states.

The Committee completed action on comprehensive nuclear waste legislation, which will provide the programmatic and financial and legal basis for an aggressive solution to the nation's nuclear waste management challenge. The nuclear waste legislation, which also was reported by the Environment and Public Works Committee, will be the subject of Senate action early in the next session.

The Committee completed extensive oversight review of the pricing provision of the pricing provision of the Natural Gas Policy Act. The oversight review should provide the necessary basis for Senate consideration of any Presidential proposal for modifications of that Act to achieve further deregulation of natural gas.

All of these energy actions, particularly the multi-year authorizations for the Department of Energy in the Omnibus Reconciliation Act of 1981, involved detailed consideration of numerous policy and program issues associated with the federal government's programs and policies for energy conservation, development and regulation. The Committee's actions in the several legislative initiatives, on balance, should lead to decreased Federal involvement and participation in the energy markets through direct and indirect energy programs and energy regulation. Those actions also generally have been consistent with the evolving energy policies of the Reagan Administration and the Senate Republican leadership.

In the areas of natural resources, the Committee acted aggressively to initiate Senate consideration of a broad spectrum of natural resource issues in this session of the 97th Congress. The Committee acted early on legislation to retrofit existing hydroelectric structures with significantly increased generation capacity to provide needed additional capacity for those western states having available projects for retrofit. In the Omnibus Budget Reconciliation Act, the Committee acted to bring needed budgetary constraints on the programs of the Department of the Interior and the Forest Service in the Department of Agriculture. For the first time, a total authorization limitation was enacted by that Act for those Department of the Interior programs in the jurisdiction of this Committee. The legislation also included a series of appropriations targets for individual programs within the Interior Department for purposes of allocating available funding under the authorization limitation. Similar action was taken in establishing a total authorization for the Forest Service programs in the jurisdiction of this Committee and the Agriculture Committee. Several of the proposed initiatives from the Reagan Administration were included in the Reconciliation Act, such as the termination of the Youth Conservation Corps Program.

The Committee also focused considerable attention on federal lands policy issues, particularly mineral leasing reform. Tar sands leasing reform legislation was enacted in the first session, while the Committee reported oil shale leasing reform legislation and concluded hearings on geothermal reform legislation which was introduced by Senator Armstrong. Each of these legislative initiatives is intended to provide needed statutory modifications to expedite the availability of these resources for development to meet our national needs and clarify otherwise ambiguous statutory provisions which would impede such development.

The Committee concluded the hearings to support legislation for Reclamation law reform and for completion of action on the relief and wilderness issues under the Second Roadless Area Review Evaluation. Chairman McClure expects to complete action in both of these very important issues in the next session of the 97th Congress.

Additionally, the Committee received and reviewed carefully Administration proposals for budgetary reform of the Land and Water Conservation Fund, the Payment-in-Lieu-of-Taxes Program and the deregulation of small hydroelectric structures. The Committee also considered and acted on sundry other national park and leasing bills during the first session. In the area of insular affairs, the Committee acted in its territorial jurisdiction on the Virgin Island Constitution legislation and several other key matters pending in that jurisdiction of the Committee in the Department of the Interior.

These several actions in the natural resources issues area supplemented aggressive administrative action within the Administration in support of often dramatic redirections of the natural resource policies of the previous Administration. The Committee would anticipate an acceleration of these activities in the natural resource area in the second session and succeeding Congresses.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

During the First Session of the 97th Congress, the Committee on Environment and Public Works, under the skillful leadership of the distinguished Chairman Robert T. Stafford and with the cooperation and continued dedication of Ranking Minority Member, Jennings Randolph, has been active in a number of major areas, including oversight and reauthorization of several of the Nation's environmental laws, nuclear waste disposal legislation, review of 22 nominations to the Executive Branch, and water resources and water project authorizations. Consideration of budgetary issues within the Committee's jurisdiction, essential to congressional efforts to restrain Federal spending, occupied much of the Committee's schedule during the First Session and necessarily interrupted or delayed its attention to several other priority issues. Nevertheless, the Committee reported a number of bills, several of which have become public law.

BUDGET ACTIVITIES AND RECONCILIATION

The Committee was extremely active in matters relating to review of the President's budget request for Fiscal Year 1982 and the Omnibus Reconciliation Act of 1981. During February and March the Committee held 7 oversight hearings to review budget requests for the Nuclear Regulatory Commission, Water Resources Council, Office of Water Research and Technology, Farmers Home

Administration, Corps of Engineers, Public Buildings Service, Fish and Wildlife Service, Environmental Protection Agency, Appalachian Regional Commission, Federal Emergency Management Agency, and Tennessee Valley Authority. After completing that review, the Committee held three days of mark-up to prepare recommendations for FY 82 budget items to the Senate Budget Committee on March 15.

Following adoption of the First Concurrent Resolution for the FY 1982 budget in April and pursuant to the Reconciliation Instruction, the Committee was directed to achieve savings in the form of reduced direct spending and reduced authorizations for fiscal years 1981 and 1982. In its portion of the Omnibus Reconciliation Act of 1981, S. 1377, it recommended savings greater than the total Reconciliation Instruction to the Committee. For Fiscal Year 1981 it recommended savings in budget authority of $2.351 billion and savings in budget outlay of $71 million. For Fiscal Year 1982 it recommended savings in budget authority of $5.001 billion and savings in budget outlay of $1.055 billion.

The Committee's actions on the reconciliation measure included: (1) $185 million reduced direct spending for Federal aid highways in FY 1982; (2) rescission of $1.7 billion of previously appropriated funds for the Clean Water Act construction grants program, plus authorizing no appropriation for Fiscal Year 1982 unless substantive amendments to this program are enacted separately by Congress: (3) limitation on authorization of appropriations to the Corps of Engineers for spending on construction activities; (4) an overall limitation of $540 million annually through Fiscal Year 1984 on EPA's abatement, control and compliance activities and non-energy research and development activities; (5) rescission of $342.5 million in Fiscal Year 1981 budget authority for the Economic Development Administration and authorized not to exceed $50 million for EDA for Fiscal Year 1982, to comply with the Administration's request to eliminate this agency in the department of Commerce; (6) rescinded $21 million of Fiscal Year 1981 budget authority for the title V Regional Commissions and repealed title V in Fiscal Year 1982, to comply with the administration's proposal to terminate the title V Commissions; (7) reduced the authority of the Appalachian Regional Commission to appropriate funds for non-highway activities to a total of $142 million in the two year period ending Fiscal Year 1981 and repealed existing authorizing for Fiscal Year 1982 appropriations, also to comply with Administration requests; and (8) rescinded $177.5 million in Fiscal Year 1981 budget authority for the Tennessee Valley Authority for the construction of a coal gasification facility and prohibited TVA from obligating any budget authority for that plant in future years.

The Conference report on the Omnibus Reconciliation Act of 1981, necessarily a compromise between the House and Senate, resulted in savings applicable only in Fiscal Years 1982, 1983, and 1984. Although that agreement did not terminate the Economic Development Administration or the Appalachian Regional Commission, these agencies' programs were authorized at significantly reduced levels in Fiscal Year 1982.

CLEAN AIR ACT REAUTHORIZATION

The Committee's major environmental activity during the First Session has been the review of implementation of the Clean Air Act and the beginning of its reauthorization. As a prelude to these efforts, in March the Committee held a joint hearing with the House Subcommittee on Health and the Environment to receive the report of the National Commission on Air Quality. Beginning in April and continuing through July the Committee held a total of 23 public oversight hearings, including field hearings in Augusta, Maine, Billings, Montana, Casper, Wyoming, Seattle, Washington, Fairbanks, Alaska, Randolph Center, Vermont, and Albany, New York, on the Clean Air Act. Testimony was heard from more than 350 persons representing federal, state and local governments, environmental groups, special interest groups, and industry comprehensively reviewing such aspects of the current law as implementation by the states, coal production and coal burning, prevention of significant deterioration, attainment of the national air quality standards, and emissions from motor vehicles. In addition, in July the Committee held a hearing on the environmental impact of chlorofluorocarbons and in October a hearing on legislation related to interstate transport of pollutants and control of acid precipitation. Having completed these hearings, the Committee has begun markup to consider draft legislative language for amendments to the Clean Air Act and has completed six days of full Committee deliberations covering the issues of primary and secondary standards and mobile sources.

SUPERFUND ISSUES

Following enactment of the Comprehensive Environmental Response, Compensation, and Liability Act (or Superfund) at the end of the 96th Congress, during the First Session of the 97th Congress, the Committee has conducted oversight implementation of this important new law. Hearing in July focused on Superfund financing and on roles of the Federal agencies involved in implementation of the law. In addition, in March the Committee held hearings on S. 681, the Oil Spill Liability and Compensation Act, a bill to provide a comprehensive system of response, compensation, and liability for oil spills complementing the toxic chemicals provisions of Superfund.

SUBCOMMITTEE ON ENVIRONMENTAL POLLUTION CLEAN WATER ACT REAUTHORIZATION

On December 10, 1981, a Senate and House Conference Committee approved a final version of legislation to reform and extend the construction grants program of the Clean Water Act. The program provides funding for sewage treatment plans across the nation. As agreed to by the Conference Committee, the final bill is much closer to legislation approved unanimously by both the Committee on Environment and Public Works and the Senate earlier this year than to a bill approved by the House of Representatives. As such, it makes major reforms in the construction grants program.

The construction grants program was designed in 1972 to deal with water pollution problems that existed at that time. It was not designed as a public works program nor as an adjunct to economic development programs. Certainly, it was expected that benefits beyond those to the environment would occur but the focus was to be on the environment and water quality. As the Committee discovered during lengthy hearings held earlier this year, the cleanup effort has suffered from the public's inability to discern whether the construction grants program is a public works program or an environmental program.

The Administration earlier this year agreed to support continuation of the program provided reforms were made. The Senate version of the legislation originally introduced by Senator Chafee who chairs the subcommittee implemented these reforms, and they largely were accepted by the Conference Committee. Among the reforms are provisions that target federal assistance for treatment facilities that are needed to solve existing pollution problems, rather than providing large federal grants to build expensive plants with excess or reserve capacity to meet future growth.

OCEAN DUMPING

An original bill containing a one-year reauthorization of the ocean dumping provisions of the Marine Protection, Research, and Sanctuaries Act, S. 1213, was approved by the Committee in May, passed by the Senate in June, and became public law in June (Public Law 97-16).

TOXIC SUBSTANCES AND ENVIRONMENTAL OVERSIGHT

The Subcommittee on Toxic Substances and Environmental Oversight, chaired by Senator Slade Gorton, with Senator Max Baucus as ranking minority member, has considered and reported to the full Committee several important authorization bills, each consistent with the Subcommittee's desire to work toward financially sound environmental programs within the Environmental Protection Agency and the Council on Environmental Quality.

The Subcommittee has reported bills to the full Committee regarding authorization of the environmental research and development programs, the toxics control programs, and the noise regulation programs of the Environmental Protection Agency and the overall operating program of the Council on Environmental Quality. These bills were at various stages of completion at year's end.

S. 1204, authorizing noise regulation and redesigning the strategy for regulation was reported by the full Committee on May 13, 1981, after prior hearing by the Subcommittee. Unamended by the full Committee, the bill was passed by the Senate on July 14, 1981. The House of Representatives has not acted.

S. 1205, authorizing research and development programs in the Environmental Protection Agency was reported by the full Committee on May 13, 1981. It is currently pending on the Senate floor.

S. 1210, authorizing general programs of the Council on Environmental Quality was reported by the full Committee on May 13, 1981, was passed by the Senate on June 2, 1981, and was amended by the House of Representatives on September 22, 1981.

S. 1211, authorizing Environmental Protection Agency programs under the Toxic Substances Control Act was reported by the full Committee on May 13, 1981, was passed by the Senate on June 2, 1981, and was amended by the House of Representatives on September 29, 1981. A substitute was agreed to at a conference of the House of Representatives and Senate on December 9, 1981.

SUBCOMMITTEE ON NUCLEAR REGULATION

Among the numerous issues addressed by the Subcommittee on Nuclear Regulation in 1981, legislation concerning the storage and disposal of spent fuel and high-level radioactive waste from nuclear activities was perhaps the most important. On September 24, 1981, Senators McClure, Simpson, Stafford, Domenici, and Symms introduced S. 1662, a bill to establish a limited program for Federal storage of spent fuel from civilian nuclear powerplants and to set forth a Federal policy, initiate a program, and establish a national schedule for the disposal of nuclear waste from civilian activities.

Joint hearings were held on this bill by the Senate Energy and Natural Resources Committee and the Nuclear Regulation Subcommittee in early October. At that hearing, witnesses from the Department of Energy Nuclear Regulatory Commission, Environmental Protection Agency, Office of Technology Assessment, and the U.S. Geological Survey presented their views, together with witnesses from various States, industry organizations, and the public. In addition, the Subcommittee on Nuclear Regulation held a field hearing in Richland, Washington, as well as a second hearing in Washington, D.C., to entertain the comments and suggestions of numerous other State representatives and members of the public.

On November 30, 1981, S. 1662 was jointly reported by the Senate Energy and Natural Resources and Environment and Public Works Committees.

In addition to nuclear waste legislation, the Subcommittee on Nuclear Regulation has held legislative and oversight hearings on a wide variety of important issues. In late February, the Subcommittee initiated hearings for the reauthorization of NRC activities for Fiscal Years 1982 and 1983. For the first time, the Subcommittee agreed upon an authorization bill funding NRC activities for 2 fiscal years, rather than the year-by-year authorization process of years past. On May 15, 1981, S. 1207 was reported to the full Senate by the Environment and Public Works Committee, and now awaits floor action.

In conjunction with the Subcommittee's consideration of NRC's Fiscal Years 1982–83 authorization, a number of issues were raised and addressed by the Subcommittee, either through oversight hearings, the introduction and consideration of legislation, or both. The Subcommittee convened a hearing in late April to examine NRC's Fiscal Years 1982–83 funding requests for its research activities, a program constituting nearly one-half of NRC's $500 million budget request. In addition, the Subcommittee held a hearing for the purpose of addressing delays in the licensing of commercial nuclear power reactors, leading to the inclusion in S. 1207 of a provision for licensing of such reactors prior to the completion of public hearings. The Subcommittee also held hearings on the NRC's Nuclear Datalink System, emergency planning and preparedness activities, cleanup of the Three Mile Island Unit 2 reactor, statutory hearing requirements for certain Commission actions involving no significant hazards, and implementation of the Uranium Mill Tailings Radiation Control Act. Included in S. 1207 are certain statutory changes addressing the concerns identified by the Subcommittee in each of the foregoing areas.

SUBCOMMITTEE ON ENVIRONMENTAL POLLUTION—WILDLIFE PROTECTION

P.L. 97-79, S. 736; The Lacey Act Amendments of 1981:

On November 16, 1981, President Reagan signed into law legislation that doubles fines and increases other penalties for violating the Lacey Act, introduced by Senator Chafee, the Nation's oldest and most basic wildlife protection law. The Act makes it illegal to transport in interstate or foreign commerce any wildlife that is taken, possessed, bought, or sold in violation of the laws of states, the United States or other countries.

S. 736 was reported by the Committee on May 21, 1981, unanimously passed by the Senate on July 24, 1981, and unanimously approved by the House of Representatives on November 4, 1981.

Under the new amendments, violators charged with serious offenses now face possible felony charges with maximum fines of 20,000 and jail sentences of up to five years. Conviction or misdemeanor charges now can bring a 10,000 fine and a one-year jail term. Civil penalties include fines of $10,000 or less.

S. 1018, the Coastal Barrier Resources Act introduced by Senator Chafee:

The Committee has held two days of hearings on S. 1018; a field hearing in Providence, Rhode Island, and a hearing in Washington, D.C., which featured the testimony of Secretary of the Interior, James G. Watt. Secretary Watt lauded S. 1018 as "precisely the sort of imaginative environmental legislation we need—legislation which can solve real problems in the stewardship of our natural resources while at the same time, responsibly addressing America's equally serious economic problems."

The stated purpose of S. 1018 is to minimize the damage to fish, wildlife, and other natural resources associated with coastal barrier structures by restricting future Federal expenditures and financial assistance which have the effect of encouraging development of undeveloped coastal barriers.

Endangered Species Act of 1973, Oversight:

On December 8 and 10, the Committee held oversight hearings on the Endangered Species Act of 1973. The hearings began the reauthorization process that must be completed by October 1, 1982. Topics discussed included: how the Act is being implemented; where the act is working well; where problems have arisen; and what, if any, legislative changes are needed.

WATER RESOURCES SUBCOMMITTEE

The Senate Water Resources Subcommittee held hearings earlier in the year on some of the issues raised by the Administration on the overall water resources policy. S. 1095 was a response to the three issues raised at those hearings: the need for a more independent organization to address national water policy issues; the role of the Federal Government in assisting State and regional development planning; and the need for a program of Federally assisted water research on May 12, 1981, the subcommittee on Water Resources reported out the Water Resources Planning Act Amendments (S. Rept. 97-120).

The Reagan Administration has proposed to coordinate national water resources policy through the establishment of a Sub-Cabinet Council to address policy issues and an Office of Water Policy at the Interior Department. These organizations would provide no chairman solely to address water policy issues and no formal mechanism for formal congressional or state involvement. S. 1095 would authorize both a National Board on Water Policy, and a State Advisory Committee to review actions and proposals made by the National Board. The measure would also provide that the President could establish river basin commissions where the governors of the States involved had requested such a commission and two-thirds of the States located within the basin had concurred. The bill also establishes an Office of Water Programs at the Interior Department which would administer several multi-million dollar grant programs, such as State planning grants, State water research grants, and saline water research grants. These grants would be made in response to specific proposals and would require at least a 50-50 match from non-Federal sources.

Senator James Abdnor's support and leadership in this area offers real hope of the measure's passage. The Senate Committee has also held hearings on S. 1493, a non-controversial bill which would deauthorize several Corps of Engineers water projects. The Committee reported the bill on November 12, 1981 (S. Rept. 97-270). Senator Abdnor was largely responsible for the favorable response to the bill which the Senate and House passed November 18 and 23, respectively.

At the beginning of 1980, the Corps of Engineers had 583 projects which were either "inactive" or "deferred". The Corps has its own program for project deauthorization, but many Members of Congress have claimed this process is too slow. In 1980, the Corps recommended that only 14 projects be deauthorized. The projects listed in S. 1493 would reduce the construction backlog of unconstructed projects by $2 million. The deauthorization would also eliminate continued Federal land maintenance expenditures and would allow other proposed activities to occur on the site of the projects. Following are the 13 projects proposed for deauthorization:

Dickey portion of the Dickey-Lincoln Project, Maine;
Meramec Park Lake, Missouri;
Lincoln Dam, Illinois;
Illinois River duplicate locks, Illinois;
Helm Reservoir, Illinois;
Big Blue Dam, Indiana;

Lafayette Dam, Indiana;
Clifty Creek Dam, Indiana;
Nansemond River project, Virginia;
Sixes Bridges Dam, Maryland;
Delmarva Intracoastal Waterway, Delaware, Maryland, Virginia;
Fort Point Channel, Massachusetts; and
Sandridge Dam, New York.

The Committee also held hearings on S. 621, which would provide for Federal-State cooperation in the development of water projects through the Water Resources Council, an independent agency the Reagan Administration intends to eliminate. The measure also provides for block grant Federal and non-federal cost-sharing, where the non-federal entities would pay for 25 percent of the construction costs and 50 percent of operation and maintenance costs.

S. 1692, introduced and moved through the Committee on Environment and Public Works by Chairman of the Water Resources Subcommittee James Abdnor, is a landmark measure in that it will for the first time in our nation's history subject new port construction to a market test through which greater efficiencies and economies demanded by current realities will be realized.

The bill, which was reported out of committee on November 18, 1981, requires 100 percent non-Federal funding of new port construction, but calls for the Federal Government to pay for 75 percent of maintenance dredging at ports.

The Subcommittee held three full days of hearings on port development: June 12 and July 16 in Washington, D.C., and August 19 in Vancouver, Washington. In addition, port development was addressed at field hearings in Minneapolis, Minnesota and Great Falls, Montana.

TRANSPORTATION—HIGHWAYS

Senator Steve Symms served as Chairman of the Transportation Subcommittee with Senator Lloyd M. Bentsen as ranking minority member during the first session of the 97th Congress.

On January 13 the full Committee conducted a hearing at which Mr. Drew Lewis, then Secretary-designate for Transportation, testified on issues concerning the Federal-aid highway program. On February 25 the Transportation Subcommittee held a hearing with the Federal Highway Administrator to consider the budget recommendations of the Department of Transportation for the Federal-aid highway program for fiscal year 1982.

The Committee recommended in its March 15 Report to the Budget Committee that budget authority for the highway program be increased by $951 million from that in current law for fiscal 1982, including a transfer of $215 million in budget authority for the Appalachian Highways Program. This recommendation was consistent with the President's March budget request and is a decrease of $432 million in budget authority from fiscal year 1981. The Committee also recommended an obligation limitation of $8.1 billion for fiscal year 1982.

The Subcommittee conducted ten days of hearings on S. 1024, the Federal-Aid Highway Improvement Act of 1981 introduced by Senator Symms and S. 841 introduced on request by Senator Stafford.

Hearings were held in Washington, D.C., on April 29 and 30 and June 10 and 19. Hearings were also held in Sioux Falls, South Dakota, on June 29; Rapid City, South Dakota, on June 30; Fargo, North Dakota, on July 1; Denver, Colorado, on August 14; Boise, Idaho, on August 15; and Seattle, Washington, on August 17. Issues addressed by this comprehensive highway legislation and discussed during the hearings included completion of the Interstate System, rehabilitation needs of the existing Federal-aid System, category consolidation, the bridge program, and the appropriate federal participation in the Secondary, Urban and Safety programs.

The Committee ordered S. 1024 with amendments reported on September 30 by a vote of 14 to 2. The legislation as reported incorporated additional budget reductions requested by the President in September. It provided authorizations for the highway program through fiscal year 1986, provided a completion definition for the Interstate 4R program recognizing the need for preserving the capital investment made by the federal government, and consolidated many of the smaller categories in order to give States greater flexibility in addressing their specific needs. S. 1024 was passed by the Senate on November 16 and efforts to reach agreement between the House and Senate are now in progress. S. 1024 was passed by the Senate on November 16. A compromise agreement was reached and passed by House and Senate.

PUBLIC BUILDINGS

Jurisdiction over matters concerning public buildings and the Public Buildings Service of the General Services Administration (GSA) is in the full Environment and Public Works Committee.

Early in this session the Committee reported comprehensive legislation to establish a federal buildings policy and to rewrite the basic authorities of the Public Buildings Service of GSA contained in the Public Buildings Act of 1959. Concerned over irregularities in the GSA public buildings program and determined to replace the so-called "prospectus" system of authorization by Committee with annual authorizations enacted by the full Congress and presented to the President, the Committee reported S. 533, the Public Buildings Act of 1981. This bill passed the Senate on May 6 by a vote of 93 to 0.

By linking the authorization, appropriation and budgetary processes, the legislation would establish orderly and fiscally disciplined public buildings planning and approval procedures.

This reform bill is the culmination of three years of effort of the Committee, beginning with a comprehensive review of the total public buildings program. Senate debate on the bill—together with a similar bill passed by the Senate last year, S. 2080—marked the first time in 20 years that the full Senate considered public buildings policies of GSA or even individual building project proposals of the Public Buildings Service.

The legislation also provides new initiatives in the display and exhibition of works of art in Federal buildings, and in the encouragement of greater public use of Federal buildings. It articulates policy for location of Federal agency offices, design and management of public buildings, architectural services, leasing of privately-owned space to accommodate Federal agencies.

It reinforces previous efforts by the Committee to assure that intensive use is made of the existing Government building inventory before space is sought elsewhere, and it reflects the Committee's longstanding efforts to have permanent Federal functions placed in Government-owned buildings. The policy of purchasing and adapting existing and particularly historic buildings, established by Congress in the Public Buildings Cooperative Use Act of 1976, is clarified and strengthened. The bill also establishes the goal that within 10 years 60 percent of Federal employees be housed in Government-owned space.

In the exercise of its John F. Kennedy Center jurisdiction, the Committee reported and the Senate passed S. 1209, an original bill, authorizing $4,544,000 to the National Park Service for non-performing arts functions during fiscal year 1982.

The Committee on Environment and Public Works reported S. 1192, the Union Station Redevelopment Act of 1981. The bill provides authorizations to return the monumental Union Station building in Washington, D.C., to use as a rail terminal, while simultaneously promoting substantial investment to renovate the building for commercial purposes. The bill shifts responsibility for the facility to the Department of Transportation from the Department of the Interior and authorizes a one-year study of the building's structural integrity and potential for commercial development. Completion of the parking garage and ramps—using Interstate Highway funds appropriated to the District of Columbia—are also authorized. The Committee on Commerce, Science and Transportation reported the legislation on May 15.

DISASTER RELIEF

In July the Subcommittee on Regional and Community Development conducted oversight hearings to examine and assess various aspects of the disaster relief program and suggested amendments to the Disaster Relief Act of 1974. Particular attention was given to policy questions, particularly the appropriateness and applicability of implementation of the Act in situations which are not caused by nature. Attention was also given to issues related to the core assistance programs of housing, and replacement or restoration of destroyed or damaged public facilities.

These hearings serve as a basis for the development and consideration of amendments to the Disaster Relief Act which the Committee expects to act upon in the second session.

OVERSIGHT HEARINGS TENNESSEE VALLEY AUTHORITY

The Committee on Environment and Public Works held oversight hearings on the Tennessee Valley Authority (TVA) on March 16-17, 1981. The purpose of the hearings was to gather information on the organization and operation of TVA and to conduct a critical review of the issues relating to increases in electric power rates. The hearings provided significant information and insight into TVA's operation.

Following a review of the hearing record, the Committee on Environment and Public Works adopted a number of recommendations for consideration by the TVA Board of Directors. Implementation of these recommendations is left to the Board and the management at TVA. The Committee believes that actions undertaken in support of these recommendations will lead to improving the TVA's credibility and enhance the operation and management of TVA. TVA will report to the Committee on their response to the specific recommendations.

EXECUTIVE BRANCH NOMINATIONS

During the First Session the Committee held hearings and approved the nominations of 24 persons to positions in the Executive Branch. They include:

G. Ray Arnett, Assistant Secretary for Fish & Wildlife and Parks, Department of the Interior.

Ray Barnhart, Administrator, Federal Highway Administration.

Paul Bazilwich, Jr., Member, California Debris Commission.

Kathleen Bennett, Assistant Administrator for Air, Noise & Radiation, Environmental Protection Agency.

Carlos Campbell, Assistant Secretary for Economic Development, Department of Commerce.

Charles Dean, Jr., Member, Tennessee Valley Authority Board of Directors.

Anne M. Gorsuch, Administrator, Environmental Protection Agency.

John W. Hernandey, Jr., Deputy Administrator, Environmental Protection Agency.

A. Alan Hill, Member, Council on Environmental Quality.

John Horton, Assistant Administrator for Administration, Environmental Protection Agency.

Rickey James, Member, Mississippi River Commission.

Robert Jantzen, Director, Fish and Wildlife Service, Department of the Interior.

Gen. Homer Johnstone, Jr., Member, California Debris Commission.

Col. Paul Kavanaugh, Member, California Debris Commission.

Brig. Gen. Richard Kem, Member, Mississippi River Commission.

W. Ernst Minor, Member, Council on Environmental Quality.

Matthew Novick, Inspector General, Environmental Protection Agency.

Nunzio Palladino, Member, Nuclear Regulatory Commission.

Maj. Gen. William Read, Member, Mississippi River Commission.

Thomas Roberts, Member, Nuclear Regulatory Commission.

Maj. Gen. Hugh Robinson, Member, Mississippi River Commission.

John Todhunter, Assistant Administrator for Toxic Substances, Environmental Protection Agency.

Lee Thomas, Associate Director, Federal Emergency Management Agency.

COMMITTEE ON FINANCE

Among the outstanding achievements of 1981 were the passage of the Omnibus Budget Reconciliation Act of 1981 and the Economic Recovery Tax Act of 1981, and under the guidance of Chairman Robert Dole, the Committee on Finance played a critical role with respect to each of these acts.

The Reconciliation Act provides approximately $35 billion in budget savings in fiscal year 1982. Of this amount, nearly one-third, or slightly under $10 billion, comes from legislative changes made in programs within the jurisdiction of the Finance Committee. The Finance Committee and the Senate passed even larger savings, but these were reduced in conference.

Among the major changes enacted in Finance Committee programs are:

Tightened eligibility for the Trade Adjustment Assistance program, saving $1.2 billion in FY 1982:

Phasing out postsecondary students' benefits under social security, for savings of $915 million;

And reform of the "disregard formula" and other changes in Aid to Families with Dependent Children, for over $1 billion in savings.

Major savings were also achieved by cutting the extended benefits program for unemployment compensation, improving Child Support Enforcement, and scaling back Title XX Social Services Block Grants.

In the health area, approximately $1.4 billion was saved under Medicare and $944 million under Medicaid.

The Economic Recovery Tax Act of 1981 is the largest tax reduction bill in American history. The principal provisions of this legislation first took shape in the Finance Committee, and many features of the bill as enacted originated on the Senate floor. The Act not only provides a significant reduction and stabilization of tax rates, but an entirely new system of accelerated depreciation for corporate taxpayers. The legislation also gives new tax incentives for saving, reforms the estate and gift tax laws, reduces the tax burden on small business, and limits the possibility for tax avoidance through the use of commodity straddles.

The House and Senate have reached agreement on a modification of legislation reported by the Finance Committee to resolve the question of the minimum benefit under social security, and to allow interfund borrowing to ameliorate the near-term financial problems of the social security system. Much more remains to be done in this area, and social security will remain a concern for the balance of the 97th Congress.

ECONOMIC RECOVERY TAX ACT OF 1981

General reasons for the bill

The Senate enacted the Economic Recovery Tax Act of 1981 in the belief that a program of significant multi-year tax reductions was needed to ensure economic growth in the years ahead. The Senate believed that this tax reduction program would help upgrade the nation's industrial base, stimulate productivity and innovation throughout the economy, lower personal tax burdens, and restrain the growth of the Federal Government. Lower tax burdens on individuals and businesses, maintained over a period of years, would help restore certainty to economic decision-making and provide a sound basis for a sustained economic recovery. The Senate envisioned a program of broadly-based tax cuts that would restore incentives to work, produce, save, and invest.

SUMMARY OF PROVISIONS

I. Individual income tax provisions

A. Individual Income Tax Reductions

Across-the-board tax rate cut

The Act provides cumulative across-the-board reductions in individual income tax rates. The reduction in tax rates will be 1¼ percent in 1981, 10 percent in 1982, 19 percent in 1983 and 23 percent in 1984 and subsequent years.

The reductions in tax liability will be accompanied by a series of reductions in taxes withheld from workers' paychecks. The withholding reductions will be at a rate of 5 percent on October 1, 1981, a further reduction of 10 percent on July 1, 1982, and a final 10 percent reduction on July 1, 1983.

50-percent maximum rate on investment income

The Act reduces the maximum tax rate on all income from 70 percent to 50 percent for 1982 and subsequent years. This establishes a maximum rate on long-term capital gains of 20 percent because only 40 percent of long-term capital gains is included in income and will be taxed at no more than the 50-percent rate. The top rate under the alternative minimum tax also will be reduced from 25 to 20 percent, starting in 1982. In addition, there will be a special 20-percent alternative tax rate on long-term capital gains, under both the regular income tax and the alternative minimum tax, for sales and exchanges between June 10, 1981, and January 1, 1982.

Deduction for two-earner married couples

In order to reduce the marriage tax penalty and to provide an additional work incentive, the Act provides a new deduction for two-earner married couples equal to a percentage of the first $30,000 of earnings of the spouse with the lesser earnings. This deduction will be available both to itemizers and nonitemizers. For 1982, the deduction will be 5 percent (a maximum deduction of $1,500). For 1983 and subsequent years, the deduction will be 10 percent (a maximum deduction of $3,000).

Together with the across-the-board rate cuts, the deduction will reduce marriage tax penalties for most taxpayers subject to the marriage penalty by at least 50 percent.

Indexing

Fueled by the efforts of Chairman Dole and Senator William Armstrong, the tax indexing amendment provided that the income tax brackets, zero bracket amount, and personal exemption will be adjusted for inflation, as measured by the Consumer Price Index, starting in 1985. The first adjustment, for 1985 tax returns, will be based on price increases between fiscal year 1983 and fiscal year 1984.

Senator Charles Grassley was particularly active in helping move this section of the bill through the legislative process.

Child care credit, exclusion

The Act increases the maximum amount of employment-related expenditures eligible for the child care tax credit from $2,000 to $2,400 for each of the taxpayer's first two dependents. In addition, the Act increases the rate of the child care credit from 20 percent to 30 percent for taxpayers with incomes of $10,000 or less. The rate of the credit is reduced by one percentage point for each $2,000 of income, or fraction thereof, above $10,000 until it reaches a rate of 20 percent for taxpayers with incomes above $28,000. Phase-down of the credit percentage applies to remuneration paid after December 31, 1981.

Charitable contributions deduction for non-itemizers

The Act allows taxpayers to deduct charitable contributions even if they do not itemize personal deductions.

For 1982 and 1983, the deduction is limited to 25 percent of the first $100 of contributions ($25 maximum deduction). For 1984, the deduction is limited to 25 percent of the first $300 of contributions ($75 maximum deduction). For 1985, the deduction is allowed for 50 percent of contributions with no cap, and for 1986 the deduction is allowed for 100 percent of contributions. This provision expires after 1986.

Deduction for adoption expenses

The Act provides a new itemized deduction, beginning in 1981, for the expenses of taxpayers that are paid or incurred in connection with the adoption of a "hard to place" child. The new itemized deduction is limited to $1,500 of the taxpayer's adoption expenses.

Gain on sale of residence

The Act extends from 18 months to two years the replacement period during which taxpayers must reinvest the proceeds from the sale of their principal residence in a new principal residence in order to be eligible for rollover nonrecognition treatment on the gain from that sale. In addition the Act increases from $100,000 to $125,000 the maximum amount of capital gain on the sale of a residence excludible from gross income by a taxpayer age 55 or over.

B. Foreign Earned Income

The Act modifies the eligibility standards of present law and replaces the present system of deductions for excess living costs abroad with an exclusion of a portion of foreign earned income. An individual is eligible for the exclusion if he is present in a foreign country or countries for 330 full days in any period of 12 consecutive months (rather than 510 days in any period of 18 consecutive months as under present law). The taxpayer may elect to exclude foreign earned income attributable to the period of foreign residence or presence at an annual rate of $75,000 for taxable years beginning on or after January 1, 1982. This amount is increased $5,000 a year over the next four years to $95,000. In the case of a married couple, the exemption is computed separately for each qualifying individual.

Once a taxpayer has elected to exclude foreign earned income the election remains in effect for that year and all future years. The election may be revoked with the consent of the Commissioner of Internal Revenue.

In addition to the exclusion described above, an individual may elect to exclude a portion of his income or, in the case of housing amounts not provided by an employer, elect to deduct an amount for housing, based on his housing expenses. This exclusion is equal to the excess of the taxpayer's "housing expenses" over a base housing amount. "Housing expenses" must be reasonable and paid or incurred during the taxable year by, or in behalf of the individual. Housing expenses are not treated as reasonable to the extent they are lavish or extravagant under the circumstances.

The base housing amount is 16 percent of the salary of an employee of the United States whose salary grade is step 1 of grade GS-14. Currently, this salary is $37,871 so the current base housing amount would be $6,059.

Deductions and credits attributable to excluded income are not allowed. For example, foreign taxes paid on excluded income may not be credited against U.S. taxes.

As under present law, pensions, and annuities, and income from certain trusts are not excludable.

The Act retains the present rules under which an individual is allowed *pro rata* benefits in certain cases where civil unrest or similar adverse conditions require an individual to leave the foreign country before meeting the time requirements.

II. Business tax incentive provisions

B. Capital Cost Recovery Provisions

Depreciation and investment tax credit revisions

The Act completely revises the Federal income tax treatment of capital cost recovery and makes revisions in the investment tax credit. The Senate's Accelerated Cost Recovery System (ACRS) generally provides much faster recovery of the costs of capital expenditures than occurred under prior law. The changes made by the Act will encourage investment, which will improve productivity, and will simplify the tax law and tax administration. Additionally, the new system will distribute the incentives for capital investment more evenly than prior law.

Machinery and equipment

Tangible personal property (primarily machinery and equipment) is assigned to one of four classes with recovery periods of 3, 5, 10, or 15 years. The 3-year class consists of autos, light trucks, equipment used in research and experimentation, other short-lived property, racehorses over two years old, and other horses over 12 years old. The 5-year class includes most other equipment, except long-lived public utility property. The 10-year class consists of public utility property with an ADR guideline life greater than 18 and less than 25.5 years, railroad tank cars, theme park structures, mobile homes, and utility coalburning equipment used to replace or convert oil and gas-fired boilers. The 15-year class consists of public utility property with an Asset Depreciation Range guideline life above 25 years.

An accelerated method of cost recovery is provided for each of the four classes. Before 1985, these methods provide benefits approximating the 150-percent declining balance method for the early years of the recovery period with a switch to the straightline method for the remainder of the recovery period (adjusted to take account of a half-year convention). In 1985, cost recovery is accelerated further and provides benefits approximating the 175-percent declining balance method for the first year of the recovery period with a switch to the sum of the years-digits method for the remaining years. After 1985, the permanent cost recovery schedules take effect, and these provide benefits approximating the 200-percent declining balance method for the first year of the recovery period with a switch to the sum of the years-digits method for the remaining years.

The investment tax credit is 6 percent for eligible property in the 3-year class and 10 percent for all other eligible property, without regard to extended recovery period elections that may be made.

Real property

Real property will be written off over a 15-year period. Taxpayers will use an accelerated method based on the use of the 175-percent declining balance method in the early years of the recovery period with a switch to the straight-line method in the remaining years. A taxpayer may, however, elect a straight-line method. Taxpayers will no longer be allowed to depreciate components separately but must use a composite method of cost recovery for the entire structure.

When a taxpayer disposes of nonresidential property for which the accelerated method of depreciation has been used, gain is treated as ordinary income to the extent of all prior cost recovery deduction. For residential real property, however, the gain is treated as ordinary income only to the extent of the excess of accelerated over straight-line cost recovery. There is no ordinary income recapture in the case of dispositions of real estate for which straight-line depreciation has been elected. The phase-out of recapture for low income residential housing of present law is maintained.

Other provisions

Businesses may elect to expense (i.e., write off for the taxable year for which the property is placed in service) up to $5,000 of qualifying property in 1982 and 1983, $7,500 in 1984 and 1985, and $10,00 after 1985. No regular investment credit is allowed for this expensed property. In general, property for which this election may be made is personal property eligible to be treated as recovery property if the property is acquired by purchase for use in a trade or business and which would otherwise be eligible for the investment credit.

As part of its complete restructuring of capital cost recovery, the Act provides a number of special rules. To provide flexibility in the use of depreciation deductions, taxpayers are allowed to make a number of elections to use longer recovery periods and straight-line methods of depreciation. Rules are also provided for the computation of earnings and profits, depreciation on assets used predominantly outside the United States, and the minimum tax. Rules under which transactions are characterized as leases for tax purposes are considerably liberalized.

The Act raises the amount of used property eligible for the investment credit from $100,000 to $125,000 for 1981 through 1984, and to $150,000 for 1985 and subsequent years.

The Act limits the amount of property eligible for the investment credit to the extent to which the taxpayer is "at risk", that is, has invested his own money or is personally liable for loans. There are, however, broad exceptions from this rule for loans from financial institutions and other commercial lenders and for the energy investment credit.

In addition, the Act extends the carryover period for unused net operating losses and investment tax credits from seven to 15 years.

Effective date

ACRS will be generally effective for property placed in service after December 31, 1980. However, rules are provided to prevent related parties from making used property eligible for ACRS through certain transactions.

Tax credit for rehabilitation expenditures

The Act replaces the present 10 percent credit for expenditures to rehabilitate industrial and commercial buildings (nonresidential structures), the present 5 year amortization for expenditures to rehabilitate certified historic structures, and the accelerated depreciation applicable to substantial rehabilitation with a new tax credit, effective for 1982 and future years. The new credit is 15 percent of expenditures to rehabilitate industrial and commercial buildings 30 to 39 years old, 20 percent of expenditures to rehabilitate such buildings that are over 39 years old, and 25 percent of expenditures related to certified rehabilitations of both residential and nonresidential certified historic structures. In addition, taxpayers who make rehabilitations under this provision are limited to

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straight line depreciation. Finally, in the case of expenditures to which the 15 percent and 20 percent credits apply, the basis for determining cost recovery deductions will be reduced by the amount of the credit.

Tax credit for research and experimental expenditures

To encourage research and experimentation by industry, the Act provides a 25 percent income tax credit for certain research expenditures paid or incurred in carrying on a trade or business of the taxpayer. The credit only applies to the extent these expenditures exceed those in a 3-year moving base period. Qualified research expenditures include expenditures for direct wages, supplies, and expenditures for the right to use equipment, as well as 65% of amounts paid to research firms or universities for conducting research and experimentation on behalf of the taxpayer. To encourage corporate support of basic research, 65% of a corporation's grant to universities or certain research organizations for research with no specific commercial application in view when it is commenced is similarly creditable. Rules are provided to prevent the use of these tax credits for tax shelter purposes.

The measure, sponsored by Senator John Danforth, is designed to restore the attractiveness of R&D as an investment for American industry. Scientific knowledge has been the traditional cutting edge of American economic strength. Unfortunately, in recent years we have been spending less and less of our G.N.P. on research and development while our major trading competitors have been increasing their spending on R&D. The R&D tax credit should help increase American productivity and thereby aid in the fight against inflation.

The research and experimentation credit is effective for wages paid or incurred after June 30, 1981, and before 1986.

Charitable contributions of research equipment

The Act permits corporations which contribute newly manufactured scientific equipment to colleges and universities for research use to claim a charitable deduction equal to the taxpayer's basis plus 50 percent of the appreciation, but not to exceed twice the basis.

Allocation to U.S.-source income

For two years, taxpayers are required to allocate expenditures for research and experimentation conducted in the United States entirely to U.S.-source income.

Incentive stock options

The Act creates a special class of "incentive stock options". There will be no tax consequences when these options are granted or when they are exercised, and employees will be allowed capital gains treatment on any gain from the sale of the stock.

The aggregate amount of stock for which any employee may be granted such options in a calendar year is limited to $100,000. However, employees are allowed a three-year carryover of up to

$50,000 per calendar year if they do not use the full $100,000 in any one year. In the case of options granted before 1981, the aggregate amount of stock for which an employee may be granted incentive stock options cannot exceed $50,000 per year and $200,000 in the aggregate.

C. Small Business Provisions

Corporate rate reduction

The Act reduces the tax rate on the first $25,000 of corporate taxable income from 17 percent to 16 percent in 1982 and 15 percent in subsequent years. The Act also reduces the rate on the next $25,000 of taxable income from 20 percent to 19 percent in 1982 and 18 percent in subsequent years.

Accumulated earnings credit

The Act generally increases the credit against the accumulated earnings tax from $150,000 up to $250,000, beginning in post-1981 taxable years.

Subchapter S corporations

The Act increases the maximum number of shareholders for a subchapter S corporation from 15 to 25 and allows certain trusts to be qualified shareholders of a subchapter S corporation.

Inventory accounting

The Act simplifies LIFO inventory accounting for small businesses. Businesses with average gross receipts of less than $2 million for the prior 3 years are allowed to use a single dollar-value LIFO pool. In addition, taxpayers electing LIFO will have three years (beginning with the year of election) to tack back into income inventory write-down taken in years prior to the year of the LIFO election. The Treasury Department also is directed to issue regulations that will simplify the use of dollar-value LIFO inventory accounting through the use of published government indexes, and to conduct a study of tax accounting methods for inventory with a view toward development of simplified methods.

IV. Windfall profits tax provisons

Royalty owner credit and exemption

For 1981, royalty owners are allowed a credit against the first $2,500 of windfall profit tax liability. For 1982 through 1984, the Act provides an exemption from the windfall profit tax for up to two barrels a day of royalty production (after 1984, for up to three barrels a day).

Stripper oil exemption

The Act exempts stripper oil produced by independent producers, starting in 1983. This measure received particular support from Senator Don Nickles, whose commitment to eliminate the tax will protect thousands of small royalty owners and independent producers from unfair confiscation of their oil income.

Newly discovered oil tax rate

The Act reduces the windfall profit tax rate on newly discovered oil from 30 percent to 27.5 percent in 1982, 25 percent in 1983, 22.5 percent in 1984, 20 percent in 1985, and 15 percent in subsequent years. Senator Don Nickles was a particularly adamant supporter of this measure.

Exemption for certain charities

The Act exempts from the windfall profit tax production owned by orphanages and similar charitable organizations.

V. Savings tax incentive provisions

Interest and dividend exclusion

The Act terminates the present $200 interest and dividend exclusion ($400 for a joint return) after 1981. After 1981, the law will revert to the prior $100 exclusion for dividends only with some technical modifications. Starting in 1985, taxpayers will be able to exclude 15 percent of interest income to the extent such income exceeds nonbusiness and nonmortgage interest deductions, up to a maximum interest net exclusion of $450 ($900 for joint returns).

This provision, originally sponsored in slightly different form by Senator Harrison Schmidt, will allow the taxpayer to save without the burden of overtaxation on his or her interest earnings. The provision will increase the rate of saving, thus enlarging the capital pool needed for investment and revitalization.

Qualified savings certificates

The Act excludes from income interest, not to exceed an aggregate amount of up to $1,000 ($2,000 for a joint return), on qualified savings certificates.

These one-year certificates must be issued after September 30, 1981, and before January 1, 1983, and must have a yield equal to 70 percent of the yield on one-year Treasury bills. The certificates must be issued by certain financial institutions which invest in residential financing or agricultural loans.

Individual retirement accounts

Senator Chafee introduced several provisions of the IRA legislation which were included in the final committee tax bill.

The Act increases the limit on deductions for contributions to individual retirement accounts from the lesser of 15 percent of compensation or $1,500 ($1,750 for a spousal IRA) to the lesser of 100 percent of compensation or $2,000 ($2,250 for a spousal IRA). Also, the Act allows active participants in employer sponsored plans to deduct up to $2,000 of the taxpayers' voluntary contributions to the plan or to an IRA. These IRA changes are effective for taxable years beginning after 1981. The provisions sponsored by

Senator Chafee stimulate savings for retirement by providing a tax incentive.

Self-employed retirement savings

The Act increases the maximum annual deduction for a contribution to a self-employed retirement plan (Keogh or H.R. 10 plan) from $7,500 to $15,000, and makes other changes in tax rules applicable to such plans. This provision is generally effective for taxable years beginning after 1981.

EMPLOYEE STOCK OWNERSHIP PLANS

The Act replaces the existing additional investment credit for employee ownership plans (ESOPs) with a credit to a percentage of payroll. For 1983 and 1984, the credit is one-half of one percent of compensation paid to employees under the plan, and the percentage increases to three-fourths of one percent after 1984. This payroll-based ESOP credit expires at the end of 1987. In addition the Act makes other changes in the rules applicable to ESOPs.

DIVIDEND REINVESTMENT PLANS

The Act excludes from income up to $750 ($1,500 for a joint return) of dividends from public utilities which are reinvested in the stock of the utility under a dividend reinvestment plan. The income generally will be treated as a capital gain when the taxpayer sells the stock. The exclusion applies for the taxable years 1982 through 1985.

VI. Estate and gift tax provisions

UNIFIED CREDIT

The 1981 Tax Act also makes major revisions in the estate and gift tax laws to reduce the tax burden on moderate size estates, particularly family farms and small businesses. Under the Act, the unified credit against estate and gift taxes is gradually increased from $47,000 to $192,800 over six years. The amount of the credit is $62,800 for gifts made, and decedents dying, in 1982, $79,300 in 1983, $96,300 in 1984, $121,800 in 1985, $155,800 in 1986, and $192,800 in 1987 and subsequent years. Thus, cumulative transfers exempt from gift and estate taxes increase from $175,625 under present law to $225,000 in 1982, $275,000 in 1983, $325,000 in 1984, $400,000 in 1985, $500,000 in 1986, and $600,000 in 1987 and subsequent years. Filing requirements are adjusted to reflect the higher levels of exempted transfers.

Rate reduction

The maximum gift and estate tax rates are reduced over a 4 year period in five percent increments from 70 percent to 50 percent. The maximum rate is 65 percent for gifts made, and decedents dying, in 1982, 60 percent in 1983, 55 percent in 1984, and 50 percent in 1985. The 50-percent tax rate will apply to taxable gifts and bequests in excess of $2.5 million.

Marital deduction

Prior to the Act, a gift tax marital deduction was allowed for the first $100,000 of gifts to a spouse and for 50 percent of gifts to a spouse in excess of $200.000. An estate tax marital deduction was allowed for transfer to a surviving spouse up to the greater of $250,000 or one-half the adjusted gross estate.

As the result of work by the Estate and Gift Tax Subcommittee, chaired by Senator Steven Symms, the Act removes the quantitative limits on both the gift and estate tax marital deductions and provides that certain terminable interests also qualify for those deductions. In general, a terminable interest may qualify at the election of the executor where the spouse receives a life interest, remainder to another party, with transfer tax imposed when the surviving spouse disposes of the interest or dies.

Current use valuation

a. Increase in maximum reduction in fair market value:

Under prior law, the fair market value of qualified real property could not be reduced by more than $500,000 as a result of current use valuation. The Act increases the maximum amount by which the fair market value of qualified real property may be reduced as a result of current use valuation to $600,000 for estates of decedents dying in 1981, $700,000 in 1982, and $750,000 in 1983 and thereafter.

b. Predeath qualified use requirement:

Under prior law, to be specially valued, real property had to be used or held for use as a farm or closely held business ("a qualified use") for five of the last eight years before the decedent's death and on the date of death.

The Act permits the qualified use requirement of present law, applicable to periods on or before the date of decedent's death (sec. 2032A(b)(1)), to be satisfied if either the decedent or a member of the decedent's family uses real property otherwise eligible for current use valuation in the qualified use.

c. Pre-death material participation requirement:

Under prior law, the decedent or a member of his family had to materially participate in the farm (or other business operation) for periods aggregating five years of the eight years before the decedent's death. On the other hand, if the decedent materially participated in the farm operation, any income derived from the farm was treated as earned income for social security purposes and could reduce social security benefits.

Under the Act, the material participation requirement has to be satisfied during periods aggregating five or more of the eight-year period ending before the earlier of (1) the date of death, (2) the date on which the decedent became disabled (which condition lasted until the date of the decedent's death), or (3) the date on which the individual began receiving social security retirement benefits (which status continued until the date of the decedent's death). An individual is considered to be disabled if the individual is mentally or physically unable to materially participate in the operation of the farm or other business.

d. Tacking to satisfy certain requirements in cases of certain predeath involuntary conversions and like-kind exchanges:

The Act changes prior law to permit tacking of the ownership, qualified use, and material participation requirements in the case of replacement property acquired pursuant to like-kind exchanges under section 1031 and involuntary conversions under section 1033.

e. Election requirements:

Under prior law, an election to specifically value qualified real property had to be made on a timely filed estate tax return. An agreement to the election, binding under local law, had to be signed by all parties having an interest in the property.

Under the Act, elections to specifically value property must be made on the decedent's estate tax return rather than by the due date of the return as under prior law.

f. Use of share rentals in the formula valuation method:

Farm real property may be specially valued using a formula valuation method. Under the formula method, the value of qualified real property is determined by (1) subtracting the average annual State and local real estate taxes for tracts of comparable land used for farming from the average annual gross cash rental for the tracts of the comparable land, and (2) dividing that amount by the average annual effective interest rate for all new Federal land bank loans. Each average annual computation is made on the basis of the five most recent calendar years ending before the decedent's death.

The Act permits substitution of net share rentals for cash rentals in the formula valuation method for farm real property if the executor cannot identify actual tracts of comparable farm real property in the same locality as the decedent's farm property that are rented solely for cash.

g. Reduction in post-death recapture period:

Under prior law, if, within 15 years after the death of the decedent (and before the death of the qualified heir), specially valued property was disposed of to nonfamily members or ceased to be used for the farming or other closely held business purpose based upon which it was valued in the decendent's estate, all or a portion of the Federal estate tax benefits obtained by virtue of the reduced valuation was recaptured.

The Act reduces the 15-year recapture period to 10 years; the five-year phase-out period is repealed.

h. Increase in basis of property on which a recapture tax is paid:

Under prior law, if an election was made to value property based on its current use, the qualified heir's income tax basis in the property was the current use value. No adjustment was made to this basis if the recapture tax was imposed.

The Act permits a qualified heir to make an irrevocable election to have the income tax basis of qualified real property increased to the fair market value of the property as of the date of the decedent's death where the recapture tax is paid. If the heir elects this basis adjustment, the heir must pay interest on the amount of the recapture tax from the date which is nine months after the decedent's death until the due date of the recapture tax. If the heir does not make the election and pay the interest, no adjustment is made to the basis of the property.

i. Miscellaneous technical changes to post-death recapture period rules:

The Act retains the requirement that the qualified heir owning the real property after the decedent's death use it in the qualified use throughout the recapture period. However, the Act creates a special two-year grace period immediately following the date of the decedent's death during which failure by the qualified heir to commence use of the property in the qualified use will not result in imposition of a recapture tax. The new 10-year recapture period is extended by a period equal to any part of the two-year grace period which expires before the qualified heir commences using the property in the qualifed use. This provision is retroactive to estates of certain decedents dying after December 31, 1976.

In the case of an eligible qualified heir, the Act provides that "active management" by the eligible qualified heir is treated as material participation for purposes of meeting the material participation requirement during the post-death recapture periods.

The Act also provides that an exchange pursuant to section 1031 of qualified real property solely for qualified replacement property to be used for the same qualified use as the original qualified real property does not result in imposition of the recapture tax.

j. Qualification of property purchased from a decedent's estate:

Under prior law, only that property which was acquired from a decedent was eligible for current use valuation. The Act expands the circumstances in which property is considered to be so acquired to include property that is purchased from a decedent's estate by a qualified heir as well as property that is received by bequest, devise, inheritance, or in satisfaction of a right to pecuniary bequest. If purchased property is specially valued, the qualified heir who purchases the property is limited to the current use value of the property as his income tax basis. This change is retroactive to estates of certain decedents dying after December 31, 1976.

k. Property transferred to discretionary trusts:

Under prior law, property owned indirectly through ownership of an interest in a partnership, a corporation, or a trust qualified for current use valuation to the extent that it would qualify if it were owned directly. However, trust property qualified for current use valuation only to the extent that an heir received a "present interest" in the trust property.

Treasury regulations defined the term "present interest" by reference to the gift tax law (sec. 2503), which precluded current use valuation of any property passing from the decedent to a trust in which the interest of the life tenant (or any other beneficiary whose interest becomes a present interest before expiration of the recapture period) was subject to discretion on the part of the trustee.

The Act provides that property meeting the other requirements for current use valuation can be specifically valued if it passes to a discretionary trust in which no beneficiary has a present interest (under sec. 2503) because of the discretion in the trustee to determine the amount to be received by any individual beneficiary so long as all potential beneficiaries of the trust are qualified heirs.

l. Definition of family member:

Under prior law, only real property that passed to qualified heirs was eligible for current use valuation. The term "qualified heir" meant a member of the decedent's family, but did not include members of a spouse's family.

Additionally, the pre-death qualified use and material participation requirement may be satisfied by the decedent or a member of the decedent's family. Likewise, the post-death material participation requirement may be satisfied by participation of the qualified heir or a member of the heir's family. Property can only be disposed of during the recapture period without imposition of a recapture tax if the transfer is to a member of the qualified heir's family.

The Act changes the definition of family member to include an individual's spouse, parents, brothers and sisters, children, stepchildren, and spouses and lineal descendants of those individuals.

m. Special rules for woodlands.

Under prior law, only real property used as a farm for farming purposes or in other closely held business operations ("a qualified use") was eligible for current use valuation. Timber operations are included in the definition of farming purposes. Standing timber, like other growing crops, was not treated as part of the qualified real property.

The Act continues treatment of timber operations as a farming use, but permits executors to elect to specially value the standing timber. If standing timber is specially valued, the recapture tax is imposed when the timber is disposed of or severed.

These changes to the current use valuation provision apply generally to estates of decedents dying after December 31, 1981.

Transfers within 3 years of death

Prior law generally required that gifts made by a decedent within 3 years of death be included in the decedent's gross estate at their value as of the date of death or alternate valuation date (sec. 2035(a)). Under the Act this rule does not apply to decedents dying after December 31, 1981, except for gifts of certain types of property covered by section 2036, 2037, 2038, 2041, and 2042. In addition, all gifts made within 3 years of death are included for purposes of qualifying for current use valuation (sec. 2032(a)), deferred payment of estate tax (sec. 6166), qualified redemptions to pay estate tax (sec. 303), and estate tax liens (subchapter C of chapter 64).

Time for payment of estate tax attributable to closely held businesses

The provisions of prior law sections 6166 and 6166A, relating to the deferred payment of estate taxes attributable to interests in closely held businesses, are combined into one provision. The new provision permits deferred payment of interests in closely held businesses which exceed 35 percent of the adjusted gross estate. Conforming changes are made to section 303, which permits redemption of stock in a closely held business to pay certain estate taxes, funeral expenses, and administration expenses.

The Act also provides that the remaining unpaid tax balance will not be accelerated upon the death of the decedent's heir or a subsequent transferee provided the interest in closely held businesses passes to a family member of the heir or subsequent transferee.

Disclaimers

The Act provides that a timely transfer of property to the person who would have received it had an effective disclaimer been made under the applicable local law is considered an effective disclaimer for purposes of Federal estate and gift taxes where the other Federal requirements of qualified disclaimers are met.

Basis rule for property received within 3 years of death

The Act provides that the basis of appreciated property acquired by gift within 1 year of death is not adjusted to its fair market value at date of death if it is returned to the donor (or donor's spouse).

Certain charitable contributions

Where a charitable transfer is an interest which is less than the donor's entire interest in property, prior law provided that no charitable deduction was allowable unless the split-interest gift was made in certain specified forms. Because an original work of art and a related copyright are considered interests in the same property, no deduction was allowed for the transfer of an original work of art to charity if the copyright was retained or transferred to a noncharity.

The Act provides that where a donor or decedent makes a qualified contribution of a copyrightable work of art, the work of art and its copyright will be treated as separate properties for purposes of the estate and gift tax charitable deduction.

The Act provides a special credit against the estate taxes imposed on the estate of D. M. Kunhardt. The amount of the credit is equal to the smallest of (1) the total estate tax imposed, (2) the fair market value of Matthew Brady glass plate negatives transferred by the estate to the Smithsonian, or (3) $700,000.

Certain bequests, etc., to minor children

The Act repeals the provisions of present law which permit a limited deduction for certain property passing to certain orphaned minor children.

Generation-skipping transfer tax

The Tax Reform Act of 1976 imposed a tax on generation-skipping transfers. A transitional rule exempts from the tax generation-skipping trusts created by wills or revocable trusts in existence on June 11, 1976, if (1) such wills and trusts were not amended after that date to create or increase the amount of the generation-skipping transfer, and (2) the testator or trust grantor dies before January 1, 1982.

Under the Act, the January 1, 1982, date contained in the transitional rule is extended one additional year to January 1, 1983.

Annual gift tax exclusion

The Act increases the amount of the annual gift tax exclusion from $3,000 to $10,000 per donee and provides an unlimited exclusion for amounts paid for the benefit of a donee for certain medical expenses and school tuition.

Annual payment of gift tax

Prior law required that gift tax returns had to be filed, and any gift tax paid, on a quarterly basis if the sum of (1) the taxable gifts made during the quarter, plus (2) all other taxable gifts made during the taxable year (for which a return has not yet been required to be filed) exceeded $25,000. If annual gifts were less than $25,000, a return had to be filed for the fourth quarter.

The Act provides that all gift tax returns are to be filed, and any gift tax paid, on an annual basis.

VII. Commodity tax straddles

A major tax abuse which came to the attention of the Senate was the use of commodity straddles and similar transactions to defer income and to convert ordinary income and short-term capital gains into long-term capital gains. The Act changes the law to curtail these abuses.

Mark-to-market. Under the Act, regulated futures contracts are marked to market at the earlier of disposition or the end of the tax year. Under this rule, gains and losses in a taxpayer's futures account are recognized at the close of the year. Net gains on regulated futures contracts are treated as if 40 percent of the gain were short-term gain and 60 percent of the gain were long-term gain, thus providing a maximum tax rate of 32 percent on gains on regulated futures contracts after 1981. Furthermore, the bill provides a 3-year capital loss carryback for losses on regulated futures contracts. These losses can be deducted against gains from regulated futures contracts in three prior years. A generous 5-year averaging rule is provided for gains recognized in 1981 under this provision.

In the case of straddles which do not involve positions in regulated futures contracts, losses are deferred to the extent there are unrealized gains in offsetting positions. However, in the case of straddles which consist of one or more positions in regulated futures contracts, the taxpayer may elect either to have all positions marked to market, or alternatively, have the leg that is a regulated futures contract exempted from the mark-to-market rule and treated, along with the other positions making up the straddle, under the general loss deferral rule. The bill also authorizes regulations extending present law wash-sale and short-sale principles to straddle positions.

The Act requires the taxpayers to capitalize interest and carrying charges or certain "cash and carry" straddles, excluding ordinary hedges.

The Act broadly exempts most hedging transactions from the mark-to-market, loss deferral and capitalization rules.

Treasury bills and other short-term government obligations are treated as capital assets. The amount of ordinary interest income assumed to be earned in connection with the Treasury bill is based on a linear amortization of the difference between the taxpayer's basis and the price at which the bills are to be redeemed during the period which the taxpayer held the Treasury bill.

Broker-dealers are required to identify securities held for investment on the day the securities are acquired, except for exchange specialists who are given seven days to make the identification for certain stock.

To prevent certain other avoidance strategies, the Act provides that certain dispositions of capital assets which produce capital gain or loss on their sale or exchange are treated as resulting in capital gain or loss without regard to whether a disposition was entered into after June 23, 1981.

VIII. Administrative provisions

Interest on deficiencies and overpayments

Under prior law, the interest rate applicable to deficiencies and overpayments was set by Treasury regulations at 90 percent of the adjusted prime rate for September, and was effective on February 1 of the immediately succeeding year.

The Act provides that the interest rate is to be set annually at 100 percent of the prime rate. Starting in 1983, changes in the interest rate are to be effective on January 1, rather than on February 1, of the year immediately succeeding the year in which the rate is established. The Act also contains [illegible] number of provisions to improve compliance with the tax laws.

Penalties for false withholding allowance certificate

Under prior law, a civil penalty of $50 could apply for claiming withholding allowances based on false information (Code sec. 6682). The criminal penalty for willfully failing to supply information, or for willfully supplying false or fraudulent information, in connection with wage withholding was a fine of up to $500 and/or up to one year imprisonment. The Act increases to $500 the civil penalty for filing false information with respect to wage withholding. The Act also increases the criminal penalty for willfully failing to supply information, or for willfully supplying falsified information in connection with wage withholding to $1,000.

These provisions are effective for acts and failures to act after December 31, 1981.

Penalty for failure to file information returns

Taxpayers are required to file a variety of information returns with the Secretary. Generally, such returns relate to payments to, and transactions with, other persons. The penalty for failure to file most information returns was $1 per return, subject to a maximum of $1,000 for any calendar year (Code sec. 6652(b)). Taxpayers who must file an information return generally were not required to furnish a copy to the person to whom the payment relates.

The Act generally requires that information returns be furnished to the person to whom the payments on the return relate, and increases the penalty for failure to file most information returns with the Secretary. The increased penalty is $10 for each return, subject to a maximum penalty of $25,000 for any calendar year.

The provision is effective as to returns and statements required to be furnished after December 31, 1981.

Penalty for overstated tax deposits

Periodic deposits of various taxes are required prior to the close of the taxable year. Taxpayers who fail to comply with these depository requirements may be subject to a penalty of 5 percent of any amount not deposited on or before the prescribed date, unless it is shown that the failure is due to reasonable cause and not due to willful neglect (Code sec. 6656(a)). In addition, criminal penalties may apply with respect to taxpayers who make a false return claiming to have made deposits of tax (Code sec. 7206) or who fail to collect, account for or pay over collected taxes (Code sec. 7215, 7512).

The Act contains a specific penalty applicable to persons who make an overstated deposit claim. The penalty is 25 percent of the overstated deposit claim, and applies in addition to any other applicable penalty.

Penalty for valuation overstatements

An addition to tax, or penalty, is imposed with respect to certain tax underpayments due to negligence or civil fraud (Code sec. 6653). The penalty for negligence is 5 percent of any underpayment that is due to negligent or intentional disregard for rules and regulations but not with intent to defraud. The alternative civil fraud penalty is 50 percent of any underpayment.

The Act provides a graduated addition to tax applicable to certain income tax "valuation overstatements". The addition to tax applies only to the extent of any income tax underpayment which is attributable to such an overstatement, and only if the taxpayer is an individual, a closely held corporation, or a personal service corporation.

A valuation overstatement exists if the value of any property, or the adjusted basis of any property claimed on any return, exceeds 150 percent of the amount determined to be the correct amount of the valuation, or adjusted basis. If there is a valuation overstatement, the following percentages are used to determine the applicable addition to tax:

If the valuation claimed is the following percent of the correct valuation:	The applicable percentage is:
150 percent or more but not more than 200 percent	10
More than 200 percent but not more than 250 percent	20
More than 250 percent	30

The penalty is effective for returns filed after December 31, 1981.

Addition to negligence penalty

The Act imposes a new addition to tax equal to 50 percent of the interest (determined under Code sec. 6601) attributable to that portion of an underpayment which is attributable to negligent or intentional disregard of rules or regulations. The addition to tax is 50 percent of the interest for the period beginning on the last day for payment of the underpayment and ending on the date of the assessment.

As an addition to tax, amounts imposed under this new penalty are nondeductible.

Confidentialty of certain IRS information

The law restricts the disclosure of tax returns and return information. However, information that cannot identify any particular taxpayer is not protected under the disclosure restrictions. Because of this, questions were raised concerning whether the IRS could legally refuse to disclose information which is used to develop standards for auditing tax returns.

The Act provides that nothing in the tax law, or in any other Federal law, will be construed to require the disclosure of standards used, or to be used, for the selection of returns for examination (or data used, or to be used, for determining such standards), if the Secretary determines that such disclosure will seriously impair assessment, collection, or enforcement under the internal revenue laws. However, it is intended that nothing in this provision be construed to limit disclosure of statistical data or other information (other than of the type that could be used by the IRS to determine criteria for selecting returns for examination) to the extent permitted under present law. Thus, any information that is currently made available will continue to be available.

Tax court filing fee

Under prior law, the Tax Court was authorized to impose a fee of up to $10 for the filing of any petition. The Act authorizes the Tax Court to impose a filing fee of up to $60. This provision applies to petitions filed after December 31, 1981.

Cash management: Corporate estimated tax payments

The Act provides that corporations whose taxable income exceeded $1 million in any of the three preceding taxable years must pay estimated tax of at least 80 percent of current year's tax liability regardless of their prior year's tax liability, rather than the former 60 percent.

The 80 percent requirement is phased in over a three-year period. In 1982, large corporations will have to be at least 65 percent current with estimated tax payments. This will increase to 75 percent in 1983, and to 80 percent for 1984 and subsequent years. The provision is effective for taxable years beginning after December 31, 1981.

Declaration and payment of estimated taxes by individuals

Individuals whose tax liability, over amounts withheld during the year, is less than $100 have not been required to file declarations of estimated taxes. The act increases the tax liability threshold for the payment of estimated taxes from $100 to $500 over a four year period, as follows:

Taxable years beginning in:	Threshold amount
1982	$200
1983	300
1984	400
1985 and thereafter	500

Individuals whose tax liability in excess of withholding does not exceed the threshold amount would not be required to declare or pay estimated tax, nor would they be penalized for underpayment of estimated tax.

The increase in the tax liability threshold takes effect for taxable years beginning after December 31, 1981.

RAILROAD RETIREMENT TAXES

The Act includes these provisions:

Tier II taxes. There is imposed on railroad employers a tax on compensation paid in a calendar month, subject to a maximum limitation. Currently, the annual taxable compensation base is $22,200.

The Act, pursuant to a negotiated agreement between railway management and labor, provides for adjustments in the financing of the tier-II pension component. The tax on employers under section 3221 is increased from 9.5 to 11.75 percent. In addition, there is a new tax of 2 percent on the compensation of employees (as defined in section 3221).

The Act provides advanced, limited transfers to the Railroad Retirement Account from the general fund of the Treasury in amounts necessary to make monthly benefit payments. In no case will the amounts outstanding at any time for any fiscal year under this authority exceed the estimated interchange transfer from the Social Security Trust Fund for that fiscal year. The Board will pay the prevailing rate of interest currently being paid on short-term instruments of the Department of the Treasury on amounts transferred under this authority.

Payments of employee taxes by railroad employers. The Act provides that payments by an employer of employee railroad payroll taxes, without deduction from the employee's remuneration, will be included in taxable compensation for RRTA purposes. This change will conform the provisions of the Railroad Retirement Tax Act to the corresponding provisions of the recently amended Federal Insurance Contributions Act. The changes made by this provision will be effective with respect to compensation paid for services rendered after September 30, 1981.

Definition of compensation. The Act provides that compensation that is paid in one calendar month but that would be payable in a prior or subsequent taxable month but for the fact that the prescribed date of payment would fall on a Saturday, Sunday, or legal holiday will be deemed to have been paid in such prior or subsequent taxable month. The Act thus makes clear the treatment for RRTA purposes of compensation "bunched" in any month for services rendered in the preceding month.

The Act also provides that, in the absence of evidence to the contrary (e.g., the statutory presumption curing "bunching" of compensation problems in certain months, as clarified by the immediately preceding provision), payments by railroad employers shall be presumed to be compensation for services rendered as an employee in the period for which the payment is made. Also, for an employee receiving retroactive wage payments (such as lump sum retroactive wage payments and crew consists payments), such payments will be deemed under the provision to be compensation paid in the period for which the payment is made unless the employee requests in writing (pursuant to existing provisions in sec. 3231(e)(2) that such compensation was earned in a period other than the period in which it was paid.

This provision is effective for taxable years beginning after December 31, 1981. No inference is to be drawn from this clarification for taxable years beginning after 1981 as to Congressional intent with respect to prior legislation concerning the definition of compensation for the purposes of administrative or judicial proceedings.

IX. Miscellaneous provisions

Foreign investment in U.S. real property

The Act makes a series of technical changes to the tax on capital gains recognized by foreign investors on dispositions of U.S. real property to clarify the original intent of Congress to generally collect at least one tax on the transfer of U.S. real property interests by foreign investors.

Property requirement of private foundations

The Act reduces the required payout for private foundations, for taxable years beginning after 1981, so that private foundations must annually distribute for charitable purposes only 5 percent of the foundation's net investment assets.

Imputed interest rate on installment sales

The Act reduces from 10 percent to 7 percent the maximum rate of imputed interest on an installment sale of land, up to an annual aggregate sales price of $500,000 between members of the same family (within the meaning of Code section 267(c)(4)).

Bad debt deduction for commercial banks

Commercial banks compute their bad debt deductions under either the experience method or the percentage of outstanding loans method. For 1982, the Act increases from 0.6 percent to 1.0 percent the percentage of eligible loans which limits the bad debt deduction of commercial banks under the percentage of outstanding loans method. After 1982 and before 1988, the applicable percentage will be 0.6 percent.

Deductibility of gifts and awards

For taxable years ending on or after August 13, 1981, the Act generally increases to $400 per item the ceiling on the deductibility of certain employee awards and gifts, and expands the purposes for which such awards and gifts may be given.

Reorganizations involving financially troubled thrift institutions

The Act relaxes certain rules and imposes other rules relating to tax-free reorganizations of financially troubled thrift institutions.

Tax treatment of mutual savings banks that convert to stock associations

The Act contains rules to facilitate the conversion of mutual savings banks into stock associations.

Restricted property

For taxable years ending after 1981, the Act postpones the taxation of property transferred to an employee as compensation for services when the property is subject to certain securities laws restrictions on transferability.

Extension and modification of targeted jobs tax credit

To help deal with structural unemployment, the Act extends and modifies the targeted jobs credit.

Under the Act, the credit is available for wages paid or incurred before January 1, 1983. The provision limiting qualified first-year wages is changed so that such wages may be at least $25,000.

Targeted groups. AFDC recipients and WIN registrants are added as a targeted group, and the WIN credit is terminated. Eligible cooperative education students are limited to those who are economically disadvantaged, effective for wages paid after December 31, 1981. The age limitation for Vietnam veterans (formerly under age 35) is eliminated, and employees laid off from public service employment funded by CETA are made eligible for the credit.

Changes in certification requirements. Certifications issued or requested after the individual begins work are invalid, effective for individuals who begin work after the date of enactment. A transition rule is provided for those who began work within 45 days before and after enactment. Certifications that individuals are members of economically disadvantaged families are valid for a minimum of 45 days; and certification and marketing are to be performed by State employment security agencies. Certifications based on false information are revoked prospectively, and the credit is not allowed for rehires.

Hiring of relatives. The credit is denied for hiring relatives of the employer.

Motor carrier operating rights

Under prior law, taxpayers were not allowed a loss deduction under section 165 for the diminution in the value of a license or permit (caused, for example, by an expansion in the number of licenses or permits that could be issued) if the license or permit continues to have value as a right to carry on a business.

The Act allows an ordinary deduction ratably over a 60-month period for the adjusted bases of motor carrier operating authorities held by the taxpayer on July 1, 1980 (the date of enactment of the

Motor Carrier Act of 1980). The provision applies to taxable years ending after June 30, 1980.

State legislators business expenses

State legislators have been allowed an election to treat their residences within the district represented as their home for purposes of computing business deductions for expenses while away from home.

The Act extends beyond 1981, and modifies, the State legislator provision for taxable years beginning on or after January 1, 1976. Under the provision, an electing State legislator is deemed to have expended for business purposes an amount equal to the individual's legislative days multiplied by the greater of the Federal per diem or the State per diem (but not over 110 percent of the Federal per diem). This amount is deductible, except for legislators living within 50 miles of the capital building, without regard to the away-from-home rule.

Fringe benefit regulations

Prior to June 1, 1981, the Treasury was prohibited from issuing final regulations, under Code section 61, relating to the income tax treatment of fringe benefits. The Act extends this prohibition until December 31, 1983.

Campaign funds

Under Code section 527, a candidate's campaign organization generally is exempt from taxation. However, political organization taxable income, e.g., interest on account balances, etc., has been subject to the highest rate, rather than the graduated rates, of the corporate income tax. This rate is 46 percent for amounts over $100,000.

The Act applies the generally applicable corporate income tax rates to political organization taxable income of a candidate's "principal campaign committee," as defined under present law (2 USC 432(e)). Under regulations prescribed by the Secretary, candidates have to furnish the Secretary with the principal campaign committee's designation. No change is made to the present law rules applicable to other campaign or political organizations.

Under the Act, political organization taxable income of a candidate's "principal campaign committee" is taxed at the generally applicable corporate income tax rates. Thus, after 1982, the lowest rate would be 15 percent as to amounts of $25,000 or less, and the highest rate would be 46 percent on amounts over $100,000.

Tax-exempt bonds for the purchase of mass transit equipment

The Act provides that interest on obligations of a State or local government is exempt from Federal income tax, if substantially all of the proceeds of the obligations are used to provide qualified mass commuting vehicles. Qualified mass commuting vehicles are defined in the Act to mean any bus, subway car, rail car, or similar equipment which is leased to a mass transit system that is wholly owned by one or more governmental units and which is principally used by the mass transit system in providing mass commuting services to the general public.

Tax-exempt bonds for volunteer fire departments

In general, obligations issued by States or their political subdivisions are exempt from Federal income tax. Volunteer fire departments have not been considered to be political subdivisions and, thus, could not issue tax-exempt bonds on their own behalf.

The Act treats an obligation of a volunteer fire department as a tax-exempt obligation of a political subdivision of a State if certain conditions are met. The tax-exempt obligations may be issued as part of an issue substantially all of the proceeds of which are to be used for the acquisition, construction, reconstruction, or improvement of a firehouse or fire truck used or to be used by a volunteer fire department.

Modification of foreign investment company provisions

The Act provides that gain on the disposition of stock in a foreign investment company attributable to earnings and profits derived before the foreign corporation became a foreign investment company will not be subject to tax under section 1246 of the Code. Instead, that gain not covered by section 1246 because of the amendment is covered by section 1248 where that section is otherwise applicable. The amendment only applies to companies that became foreign investment companies because they met the requirements of section 1246(b)(2) of the Code.

Charitable contributions by corporations

The Act increases the limitation on a corporation's charitable contributions deduction from 5 percent to 10 percent of taxable income. The provision is effective for taxable years beginning after December 31, 1981.

Unemployment tax status for certain fishing boat services

The Act exempts for one year, for purposes of the Federal Unemployment Tax Act (FUTA), the services of fishing boat crew members which currently are exempt for purposes of FICA and income tax withholding. Thus, services by members of the crew on boats engaged in catching fish or other forms of aquatic animal life are exempt for purposes of FUTA if the remuneration for those services is a share of the boat's catch, or of the proceeds of the catch, and if the crew of such boat normally is made up of fewer than ten individuals. In the case of a fishing operation involving more than one boat, services are exempt for purposes of FUTA if the remuneration for services is a share of the entire fleet's catch or its proceeds, and if the operating crew of each boat in the fleet normally is made up of fewer than ten individuals.

2-year extension of telephone excise tax at 1 percent

The excise tax on communications services (local telephone, toll telephone, and teletypewriter services) was 2 percent for 1981 and 1 percent for 1982, with no tax as of January 1, 1983. The Act extends the 1-percent rate for two years, and thus delays the termination of the telephone tax until January 1, 1985.

Amortization of construction period taxes and interest

Under prior law, taxpayers other than most corporations, in general, were required to capitalize and amortize construction period interest and taxes (sec. 189). This rule will not be applicable to low-income housing until after December 31, 1981.

The Act provides that section 189 will not be applicable to low-income housing.

Amortization of low-income housing rehabilitation expenditures

The Act increases the amount of expenditures eligible for amortization under section 189 to $40,000 per unit if the rehabilitation is conducted pursuant to a program under which tenants who demonstrate home ownership responsibilities may purchase their units at a price that limits the profit to the seller. The program must be certified by the Secretary of Housing and Urban Development or by a State or local governmental unit and the tenants must occupy the units as their principal residence. The program must provide that the sum of the taxable income and the amount realized on sale must not exceed the excess of (1) the taxpayer's basis in the property (without adjustment for deductions under section 167) over (2) the new tax benefits from the section 167 deduction less tax on the taxable income from leasing.

The provision applies to amounts paid or incurred after December 31, 1980.

In separate action, Senator Chafee put through a separate resolution having 63 cosponsors, expressing the sense of the Senate that the President should not recommend the demise of the energy tax credits which encourage investment in energy conservation measures. Under the Senator's guidance, the measure was included in the first continuing appropriations bill.

Social Security Act Programs

Activities within this area of responsibility were directed almost entirely toward reduction in program costs. On February 18, 1981, President Reagan presented the outline of his Economic Recovery Program, which included substantial reductions in outlays in Social Security Act Programs.

The President's specific proposals, which were received on March 10, 1981, served as the initial basis for congressional consideration of spending reductions for FY 82. The proposal included $8.2 billion in reductions for programs under the Social Security Act. On May 5, 1981, the Senate Finance Committee approved the components of its spending reduction package. These were incorporated in the recommendations transmitted to the Senate Budget Committee on June 10, 1981, as required under the reconciliation process and were subsequently acted on by the Senate. Some of the President's recommendations were incorporated in modified form in either the House-passed and/or Senate-passed version of the "Omnibus Reconciliation Act of 1981." Both Houses, however, included many alternative costsavings provisions in their bills. The substantial differences between the House and Senate versions were subsequently resolved in conference and the Reconciliation Act of 1981, P.L. 97-35, was signed into law on August 13, 1981.

Summary of Finance Committee Action on Health Programs

P.L. 97-35 contains a number of amendments to the medicaid and medicare programs. The Act provides for reductions in Federal medicaid expenditures, coupled with provisions giving States greater flexibility in implementing their medicaid plans: With respect to medicare, the law includes increases in beneficiary cost-sharing requirements and modifications in provider reimbursement provisions. Further, the law makes a number of revisions to, but does not repeal, the PSRO program, as was proposed by the administration. The law also restructures the Material and Child Health program, at reduced funding, along the lines proposed by the administration as part of the block grant proposal.

Although not all of the Finance Committee provisions were included in the law, they were approved by the Senate, with the exception of a provision which would have made medicare the secondary payor for persons covered under the Federal Employees Health Benefits Program. The following is a summary of the committee bill as it relates to the Social Security Act health care programs.

I. Medicare

1. Nursing Salary Cost Differential:

Committee amendment.—The bill provides for a reduction in the routine nursing salary cost differential to 4.5 percent beginning with the date of enactment. The bill further requests the Comptroller General to conduct a study to determine the extent (if any) to which the reasonable cost of efficiently providing routine inpatient nursing services to medicare patients exceeds the average cost of providing such services to other individuals. The committee intends to reconsider the appropriateness of a nursing differential following completion of the study.

2. Repeal of Certain Benefit Provisions Enacted in 1980:

Committee Amendment—

(A) Repeal provision making occupational therapy a qualifying service for home health benefits.

(B) Repeal coverage of outpatient alcohol detoxification services.

(C) Repeal coverage of hospitalization in conjunction with a noncovered dental procedure where warranted by the severity of the procedure.

(D) Repeal the provision of law which provides for continuous open enrollment.

(E) Repeal the provision allowing States to "buy in" to medicare for their medicaid recipients.

(F) Repeal the one-time delay in the hospital periodic interim payment from medicare.

3. Pneumococcal Vaccine:

Committee amendment.—Repeals the provision of P.L. 96-611, which provided medicare coverage for pneumococcal vaccine.

4. Authority for the Secretary to Impose Civil Money Penalties in cases of Medicare and Medicaid Fraud:

Committee amendment.—Authorizes the Secretary of Health and Human Services to assess a civil monetary penalty of up to $2,000 per claim against any person who has filed a fraudulent claim under the medicare or medicaid programs. It also authorizes the Secretary to impose an assessment, in addition to the penalty, of up to twice the amount of the fraudulent portion of the claim in lieu of damages.

5. Less Frequent Surveys of Skilled Nursing Facilities:

Committee amendments.—Permits the Secretary to enter into agreements with skilled nursing facilities for periods in excess of 12 months.

6. Payments to Promote Closing and Conversion of Underutilized Facilities:

Committee amendment.—Provides for including in hospital reasonable cost payments, reimbursement for capital and increased operating costs associated with the closing down or conversion to approved use of underutilized beds or services in nonprofit short-term hospitals. In the case of for-profit hospitals, reimbursement would be limited to increased operating costs.

Prior to January 1, 1984, no more than 50 hospitals could be paid this transitional allowance.

The Secretary is also directed to establish a Hospital Transitional Allowance Board to consider requests for such payments.

7. Criteria for Determining Reasonable Charge for Physicians' Services:

Committee amendment.—Provides for the calculation of statewide median charges in addition to prevailing charges in the locality. To the extent any prevailing charge in a locality was more than one-third higher than the statewide median charge it would not be increased each year.

Provision permits new physicians in localities designated as physician shortage areas to establish customary charges at the 75th percentile of the local charges (rather than the 50th). Provision also permits established physicians in these areas to move up to the 75th percentile on the basis of their actual fee levels.

8. Limitation on Reasonable Cost and Reasonable Charge for Outpatient Services:

Committee amendment.—Requires the Secretary to issue regulations establishing limitations on costs or charges for outpatient services provided by hospitals, community health centers or clinics and by physicians utilizing these facilities.

9. Reduction in Payment for Inappropriate Hospital Services:

Committee amendment.—Effective upon enactment, the bill eliminates the 80-percent occupancy rate exception. Under the bill, a hospital's payments would be reduced by medicare if there is an excess of beds in the institution in which the patient is hospitalized, or an excess of hospital beds in the area, which could presumably be converted to long-term care use.

10. Increase in the Part B Deductible:

Committee amendment.—The Part B Deductible is increased from $60 to $75 beginning in calendar year 1982.

11. Deletion of Carryover Provision for Part B Deductible:

Committee amendment.—Effective with expenses incurred on or after October 1, 1981, the bill excludes medical expenses incurred during the last quarter of the preceding calendar year in determining whether the individual has satisfied the part B deductible in the current calendar year.

12. Increase in Part B Premiums:

Committee amendment.—Effective July 1, 1982, the bill provides for maintaining the beneficiary part B premium at 24 percent of total program costs.

13. Medicare Payments Secondary in Cases of End-Stage Renal Disease:

Committee amendment.—The bill changes the benefit coordination arrangements between the medicare end-stage renal program and any other health benefits to which an individual may be entitled by making any private coverage primary to medicare for an initial 12 months after the beneficiary is determined eligible for medicare coverage under the end-stage renal provisions of the law. During this period, medicare would not reimburse any expense to the extent that payment is made, or can reasonably be expected to be made (as determined by regulation), by any private health plan or policy of insurance. Medicare would become the primary payor (i.e., pay benefits without regard to any other coverage) beginning with the thirteenth month following the month in which entitlement to medicare end-stage renal benefits was established. This coordination provision would apply only in instances of patients entitled to benefits under the medicare renal program who are under age 65 and who are not in receipt of disability cash benefits.

14. Medicare Payments Secondary to Federal Employees Health Benefits Program Payments:

Committee amendment.—Effective January 1, 1982, the bill provides that for Federal employees and annuitants who have coverage under both the medicare and FEHB programs, the medicare program would become the secondary payor, paying only those bills for covered services which have not been paid by a FEHB plan.

II. Medicaid

1. Limitation on Federal Medicaid Expenses:

Committee amendment.—Establishes a limit on the amount of Federal financial participation in the medicaid program. For fiscal year 1982, Federal expenditures would be allowed to increase 9 percent over the States' estimates for fiscal year 1981. For fiscal year 1983 and thereafter, Federal spending would be allowed to rise at the rate of inflation for that fiscal year as measured by the GNP Implicit Price Deflator.

Beginning in FY 1982 the bill increases from $30 million to $45 million medicaid payments to Puerto Rico.

2. Federal Medical Assistance Percentage:

Committee amendment.—The bill reduces the minimum Federal medical assistance percentage from 50 percent to 40 percent.

3. Allow Accelerated Collection of Unapproved State Medicaid Expenditures:

Committee amendment.—The bill provides that the Federal Government shall retain disallowed medicaid matching funds throughout the appeals process in all cases, including amounts in controversy that were denied in the past. If the appeal is successful, the funds (plus interest) will be returned to the States. The rate of interest is the same as the rate of interest which States pay under the "Omnibus Reconciliation Act" provisions.

4. Cost Effective Service Arrangements:

Committee amendment.—The bill authorizes the States to establish limits and restrictions with respect to choice by recipients of any medical items and services covered under a medicaid plan. The bill further requires that any limitations or restrictions imposed by a State regarding recipient freedom of choice must (1) be cost effective and (2) assure that recipients have reasonable access to any covered services affected by such limitations or restrictions. The bill further repeals section 1903(m) to permit a State to make payment on a prepaid capitation or other risk basis to vendors other than health maintenance organizations.

5. Reimbursement of Hospitals:

Committee amendment.—The bill provides States with additional flexibility in determining the payment rate for inpatient hospital services. The bill deletes the current provision requiring States to reimburse hospitals on a reasonable cost basis and substitutes a provision requiring States to reimburse hospitals at rates that are reasonable and adequate to meet the cost which must be incurred by efficiently and economically operated facilities in order to meet applicable laws and quality and safety standards.

6. Services for the Medically Needy:

Committee amendment.—The bill deletes most of the current requirements for required services for the medically needy, thereby giving States greater flexibility in designing their medicaid plans for this population group.

7. Optional Coverage for Students Receiving Aid to Families With Dependent Children:

Committee amendment.—Section 60a of the bill amends the definition of "dependent child" under AFDC to persons through age 17, or age 18 if they are completing high school in their 18th year. The bill provides that State medicaid plans may limit coverage to any person under age 19 who meets the definition of dependent child under AFDC. At State option, States may extend medicaid to all persons between the ages of 18–20 or any reasonable classification of such persons.

8. Time Limitation for Waiver Requests:

Committee amendment.—The bill requires the Secretary to approve or disapprove a proposed State plan, plan amendment, or waiver request within 90 days after receiving the State request, or, if later, 90 days after receiving information needed to make a final determination.

9. Pneumococcal Vaccine Benefit:

Committee amendment.—The bill modifies the medicaid program to authorize Federal assistance for pneumococcal vaccines. The bill provides that for this benefit vouchers would be made available on a one-time basis in fiscal year 1982 to noninstitutionalized recipients of SSI payments who are age 65 or older.

10. Nonmedical Services for Certain Individuals:

Committee amendment.—The bill permits the Secretary to waive the current definition of covered medicaid services to include certain nonmedical support services, other than room and board, which are provided pursuant to a plan of care to an individual otherwise at risk of being institutionalized and who would, in the absence of such services, be institutionalized.

III. Maternal and Child Health

Committee amendment.—The bill amends title V of the Social Security Act to establish a Maternal and Child Health (MCH) block grant which would continue current MCH and Crippled Children's (CC) services and would consolidate the following programs into the block grant: hemophilia, lead-based paint poisoning prevention, genetic diseases, sudden infant death syndrome, and the supplemental security income for disabled children's program. Funds authorized for the consolidated program for fiscal year 1982 and each year thereafter would be $334,500,000. This amount is equal to 75 percent of the funds which were appropriated for the individual programs during fiscal year 1981.

Summary of Finance Committee Action on Income Security

P.L. 97-35 contains more than 40 amendments to social security, unemployment compensation, and the various Social Security public assistance programs. The Act phases out or tightens eligibility for less essential social security benefits, such as the student benefit, minimum benefit, and benefits for young parents. The unemployment compensation program is modified in several important respects to better target federal funds to States with more acute unemployment problems and to individuals with more significant work force attachment. Numerous changes in public assistance programs, such as Aid to Families with Dependent Children (AFDC), are included which tighten eligibility so as to better target scarce resources on those truly in need and encourage those able to work to do so. Virtually all of the Social Security Act amendments in income security, contained in P.L. 97-35, were recommended by the Finance Committee. All of the amendments recommended by the Finance Committee were adopted by the Senate.

IV. Social Security (OASDI)

1. Student Benefit:

Committee amendment.—Eliminates the social security student benefit for post-secondary students age 18-22 who first enroll in post-secondary school after the 1981-1982 school year. For currently enrolled students in post-secondary schools and those who enter during the 1981-1982 school year, summer benefits would be eliminated for the four months May through August, beginning in 1982. Monthly benefits for these students would be reduced 25 percent each year, beginning September 1982, and completely eliminated by September 1985. No further cost-of-living adjustments would be paid to these students after July 1981.

High school students would continue to receive child's benefits as under current law, except that effective August 1982, no high school student could receive child's benefits after his 19th birthday.

2. Minimum Benefit:

Committee amendment.—Eliminates the minimum benefit for both current and newly entitled beneficiaries. As of August 1981, no new beneficiaries would receive the minimum benefit and all beneficiaries who had been receiving benefits based on the minimum primary insurance amount would have their benefits recalculated. Benefit amounts for those persons who would have received the minimum under prior law would be recomputed to reflect their actual average earnings.

To ensure that any poor person in the age group 60-65—too young to be eligible for SSI—would not suffer a decline in income, this proposal would permit current minimum benefit recipients age 60-64 who meet the SSI eligibility conditions (regarding income and assets, for example) to receive a monthly SSI cash payment. This payment would be limited to an amount equal to the difference between the minimum benefit the individual previously received and his or her recalculated social security benefit. This payment would not be adjusted annually for changes in the cost-of-living. (People age 60-64 newly eligible for SSI because of this provision would not be eligible for any other SSI-related benefits such as medicaid.)

3. Lump-Sum Death Payments (LSDP):

Committee amendment.—Eliminates the LSDP in cases where there is no eligible spouse or entitled child, effective August 1, 1981. Under the proposal, a surviving spouse who is living with the worker at the time of his death would automatically receive the LSDP as under current law. If there were no eligible surviving spouse who had been living with the worker, the LSDP would be payable to a surviving spouse not living with the worker at the time of his death but eligible for benefits, or to any young child of the deceased worker who was eligible to receive monthly cash benefits as a surviving child. If there were no eligible surviving spouse and the worker's children were all over 18 (or over 21 if full-time students) then no one would be eligible to receive the LSDP.

4. Recency of Work Test for Disability Benefits:

Committee amendment.—Provides that, in addition to the insured status requirements already part of present law, a disabled worker coming on the rolls after June 1981 must have worked in covered employment during six of the 13 quarters immediately preceding the onset of disability.

5. Disability Reduction for Other Benefits:

Committee amendment.—Authorizes three related changes in the offset currently made to disability benefits on account of workers' compensation. Changes would only affect workers becoming disabled after December 1980 and would then only affect benefits beginning in July 1981:

(a) Expand the workers' compensation offset provision to include other disability benefits provided by Federal, State, and local Governments, except that needs-based benefits, Veterans Administration disability benefits, private insurance benefits, and benefits based on public employment covered by social security would not be taken into account. The amount of the reduction would be calculated as under the present law workers' compensation offset.

(b) Extend the offset to include benefits paid to disabled workers aged 62 through 64 and their families.

(c) Require that the offset be made sooner—not in the month after the SSA is notified of the other disability payment, but retroactively to the month when the nonsocial security disability payments are actually made.

6. Trust Fund Financing of Vocational Rehabilitation Services:

Committee amendment.—Repeals section 222(d) of the Social Security Act, effective October 1, 1981, and eliminates trust fund financing of VR for disabled beneficaries.

7. Round Social Security Benefits:

Committee amendment.—Require that the amount derived at each stage in the benefit computation be rounded to the nearest penny, except for the last step—the actual benefit amount payable per beneficiary. This would be rounded to the next lower dollar.

8. Pension Reform Act Cost Reimbursement:

Committee amendment.—Permits SSA to recover the full cost of retrieving and transmitting information for purposes of enabling pension plans to comply with the Pension Reform Act. Full payment would be required from requestors to the social security trust funds for expenses incurred in providing earnings information, making clear that reimbursement of these costs is not governed by the Freedom of Information Act or by the Privacy Act.

V. Unemployment Compensation

1. National Trigger for the Extended Benefit Program:

Committee amendment.—Eliminates the national trigger for the extended benefits program, effective July 1, 1981.

2. State Trigger Calculation:

Committee amendment.—Excludes extended benefits recipients from the insured unemployed population used to calculate the State trigger insured unemployment rate, effective July 1, 1981.

3. State Triggers;

Committee amendment.—Raises the insured unemployment rate used for triggering the extended benefits program. The mandatory State trigger would be increased to 5 percent and the optional State trigger to 6 percent effective October 1, 1982. The "20 percent higher" provision for the mandatory trigger would be retained.

4. 20 Weeks of Work for Extended benefits:

Committee amendment.—Requires extended benefits claimants to have worked at least 20 weeks (or its equivalent in wages or hours) in the one-year base period to qualify for benefits, effective October 1, 1982. States that do not currently have a weeks of employment qualifying requirement could obtain weeks of employment information or calculate its rough equivalent in dollars or hours of work in order to administer this provision.

5. Benefits for those who voluntarily quit military service:

Committee amendment.—Disqualifies for unemployment compensation benefits those exservicemenbers who voluntarily leave the service and refuse to reenlist, effective July 1, 1981.

6. Loan Reform.—Under existing law, the cost of unemployment benefits payable under regular State unemployment compensation programs (and half of the benefit costs arising from the Federal-State extended unemployment compensation program) are funded

through payroll taxes imposed by each State. If tax revenues exceed benefit costs, the surplus amounts are retained by the State in an interest bearing account in the Unemployment Trust Fund. If benefit costs exceed revenues, State draw down on their accumulated surpluses from prior years. If those surpluses become exhausted, States are allowed to receive an interest-free loan from an account which is funded through the Federal unemployment tax (and is supplemented by borrowing from the general fund of the Treasury).

States are generally expected to repay such loans within 2 years. If a State has an outstanding loan at the beginning of two consecutive years and fails to make full repayment by November 10 of that year, the Federal Government commences to collect that loan by raising the Federal unemployment tax on employers in the delinquent State. Until the loan is repaid, the Federal tax rate is increased by 0.3 percent each year (up to an ultimate maximum tax rate of 3.4 percent of taxable payroll).

Committee amendment.—Alters the ability of States to receive interest-free loans from the Federal Government to finance unemployment compensation interest would be charged at a rate of 10 percent on all new advances after May 5, 1981 unless (1) those advances are repaid by September 30 of the fiscal year in which they are made and (2) the Secretary of Labor certifies that the State will be able to meet benefit payments without the need for additional advances for at least 6 months. Interest payments could not be paid from the State unemployment trust fund director or indirectly (for example, by use of an offsetting State employer tax credit). All repayments of loan principal would be first applied against the principle which had been longest outstanding.

The bill also provides for a "freeze" on the increased rate of Federal unemployment tax during any year in which a State meets a test of solvency. This test requires that the State engage in no new net borrowing and that it take no action, the net effect of which represents a relaxation of tax effort or a liberalization of benefits. The "freeze" would be set at 0.6 percent or the level of increased tax applicable in the preceding year, whichever is greater.

In States where the insured unemployment rate dropped to or below 80 percent of the level in the 2 prior years, an additional 0.3 percent increase in the Federal tax rate would apply. Conversely, in States with high unemployment, as reflected by at least 6 months of extended benefits, the freeze would be available even if the State did require some additional new borrowing. This waiver would be available only to States with State unemployment tax effort at least 50 percent higher than the national average and only for a maximum of two consecutive years with repayment of any new borrowing required 2 years after the State no longer qualified for the waiver.

Both the interest provision and the provision freezing increases in the Federal tax in delinquent States would expire on October 1, 1984.

VI. Aid to Families with Dependent Children (AFDC)

1. Earned Income Disregard:

Committee amendment.—Standardizes the work expense disregard at $75 per month, caps the child care disregard at $160 per month, per child and applies the disregards for recipients in the following order:

(a) The first $75 of the family's earned income (in lieu of itemized work expenses) is disregarded; then

(b) the cost of care for a child or incapacitated adult, up to $160 per child monthly, will be disregarded from income remaining after application of the preceding provisions; and

(c) finally, the $30, plus one-third of the remainder of earned income (not already disregarded) is disregarded.

As under current law, the $30 and one-third disregard would not apply if employment has been refused or terminated without good cause, and the work expense and child care disregards would also be denied.

2. $30 and One-Third Earned Income Disregard:

Committee amendment.—Permits the application of the $30 and one-third disregard only during the first four consecutive months in which a recipient has earnings in excess of the standard work expense and child care disregards; thereafter, the amount of payment would be determined without benefit of the $30 and one-third disregard each month that the family continues to receive AFDC and for twelve consecutive months after AFDC is terminated.

3. Allowable Resources:

Under current law, the equity value (rather than fair market value) of resources must be considered in determining AFDC eligibility. Regulations establish a maximum of $2,000 per recipient in real and personal property, including liquid assets which States may exclude. States may also exclude a home, personal effects, an automobile, and income-producing property.

Committee amendment.—Places a limit on allowable resources of $1,000 (equity value) per family, excluding the home and one automobile. The value of the automobile would be limited by regulations.

4. Offset for Food Stamps and Housing Subsidies:

Committee amendment.—Explicitly permits States to take into account the value of benefits received from food stamps or housing subsidies. This would be done by treating the value of the food stamp coupons or housing subsidy as income, up to the value for food or shelter that is included in the State standard.

5. Eligibility and Need Standard:

Committee amendment.—Limits eligibility for AFDC to families with gross incomes at or below 150 percent of the State's standard of need.

6. Lump-Sum Payments:

Committee amendment.—Requires that large payments, together with other income remaining after the application of disregards, be considered available to meet ongoing needs in the AFDC program. If such income exceeds the standard of need, the household would be ineligible for aid. Any amount of the income that exceeds the monthly needs standard would be divided by the monthly needs standard, and the household would be ineligible for aid for the number of months resulting from that calculation. Any remaining amount would be counted as income in the first month following the period of ineligibility.

7. Advance Payment of Earned Income Tax Credit (EITC):

Committee amendment.—Provides that in determining earned income for AFDC, the EITC advance payment that the individual is eligible to receive would be included, regardless of whether or not he has applied for the advance payment (i.e., if the individual does not receive advance EITC payments, an amount equal to what he could get as advance payment is imputed as earned income).

8. Income of Stepparent:

Committee amendment.—Requires that the income of a stepparent be counted in determining eligibility and benefit amounts for AFDC applicants or their children. Countable income would include any amount which exceeds (1) the first $75 of earned income (a smaller amount may be prescribed for less than fulltime work); (2) the amount specified in the State's standard as the amount needed by the stepparent to support himself and his dependents living in the same household; (3) amounts paid by the stepparent to dependents living outside the household; and (4) payments of alimony or child support to individuals not in the same household. This law would be amended to preclude prorating of shelter allowances with regard to persons to whom this provision applies.

9. Employment of AFDC Recipients:

Committee amendment.—Provides for a series of options to modify the current AFDC work requirements, allowing States broad flexibility to experiment with ways of encouraging work effort:

(a) Community Work Experience Program.—States would be authorized to establish community work experience programs for AFDC recipients. Under these programs recipients could be required to work on useful public projects in return for their AFDC grants. The provision requires that the work provided meet appropriate standards with respect to health, safety and other conditions and that the amount of work required in relation to the family's AFDC payment be consistent with Federal or State minimum wage provisions. Persons exempt under present law from participation in the WIN program would also generally be exempt from participation in this program except that parents caring for children under age 6 (but not under age 3) could be required to participate if child care is available.

(b) Jobs as an Alternative to AFDC.—States would be able to use savings from reduced AFDC grant levels to make jobs available on an entirely voluntary basis. Under this approach, recipients would be given a choice between taking a job or depending upon a lower AFDC grant than now exists.

States would have flexibility to implement the amendment for particular areas within the State or for particular categories of recipients and would also have the flexibility to modify the rules for treatment of income so as to avoid situations which would undermine the proposal.

If a State elected to utilize this provision, its costs would be contained within the overall level of welfare cost as they would otherwise exist. The total amount of Federal funding for regular AFDC payments and for subsidies provided to employers under the voluntary jobs program could not exceed the present level of estimated AFDC spending in the States.

(c) Work Incentive Demonstration projects.—States would be authorized to implement three-year demonstration projects of their own design to increase the employment of welfare recipients. Participation criteria would have to follow the Work Incentive (WIN) provisions and would have to be applied statewide. However, the components of the program could be varied in different regions or political subdivisions of the State. Earnings derived from participating in the project would not make a family ineligible for AFDC.

These demonstration projects would substitute for the regular WIN program, and each participating State would be funded at a level equal to its 1981 WIN allocation augmented by any other Federal funding which may be available for establishing AFDC work programs in the States.

10. AFDC Payments to Strikers:

Committee amendment.—Requires States to specify that striking workers must comply with all AFDC provisions concerning work registration and training. No AFDC would be payable to a family in which the caretaker relative is engaged in a strike on the last day of the month, and no individual participating in a strike could have his or her needs included in computing the amount of the AFDC grant.

11. AFDC Payments to Children 18 and Over:

Under present law, States have the option to define a dependent child to include students age 18 through 20 who are regularly attending primary, secondary, or vocational school, and even college. For other purposes, Federal and State laws generally recognize persons age 18 and above as adults.

Committee amendment.—Modifies the definition of "dependent child" to provide assistance to children through age 17, or 18 if they are completing high school in their 18th year.

12. AFDC for Pregnant Women:

Committee amendment.—Prohibits States from increasing the AFDC payment level for pregnant women already receiving welfare until the last 3 months of pregnancy. However, AFDC-eligible pregnant women with no children would be covered under medicaid from the determination of pregnancy.

13. AFDC Eligibility for Unemployed Parent (AFDC–U):

Committee amendment.—Limits AFDC–U eligibility to those families in which the principal earner is unemployed. The principal earner would be the parent who earned more income during the two years preceding the application for benefits, Also, the law would clearly state that the entire family will be ineligible for AFDC if the principal earner is not registered for work or training.

14. Work Requiements for AFDC Parents Attending College:

Committee amendment.—Limits the exemption from work requirements to children who are attending, full-time, an elementary, secondary, or vocational school. Also, the exemption for caretakers would be limited to a parent or relative who is personally caring for a child with only brief or infrequent absences from the child.

15. Require Retrospective Accounting and Monthly Reporting:

Committee Amendment.—Requires States to adopt a system of retrospective accounting along with monthly reporting. Prospective budgeting would be used in the first month after application to prevent hardship and in the final month to prevent payment of benefits to those whose circumstances have changed and who thus no longer meet the needs requirements.

16. Eliminate Payment of Less than $10:

Committee amendment.—Prohibits States from issuing AFDC checks in amounts less than $10 a month. Individuals denied a benefit as a result of this provision would be considered recipients for all other purposes, including medicaid eligibility.

17. Vendor Payments:

Committee amendment.—Removes all restrictions on the number of cases in which vendor payments are made by a State, and allows recipients to choose to have vendor payments made even though they could otherwise receive payments directly. There would not have to be a determination that the household cannot manage funds for those who elect to receive vendor payments.

18. Overpayments and Underpayments:

Committee amendment.—Requires States to correct overpayments and underpayments in all instances. Recovery of overpayments would be made from current assistance payments, available income and resources, and, for an individual who no longer receives assistance, through the legal process. In any month when overpayments are being recovered, the AFDC payment, together with the recipent's liquid resources and all income, must equal at least 90 percent of the payment a family would receive if there were no disregards from earned income.

19. Federal Match for Training:

Committee amendment.—Provides that all expenses related to AFDC administration, including training expenses, be matched by the Federal Government at a 50 percent rate, rather than the current 75 percent.

VII. Child Support Enforcement

1. Collection of Past-Due Child Support and Alimony:

Committee amendment.—Provides for additional use of the IRS to collect deliquent child support payments. Upon receiving notice from a State child support agency that an individual owes past-due support which has been assigned to the State as a condition of AFDC eligibility, the Secretary of the Treasury would be required to withhold from any tax refunds due the individual, an amount equal to any past-due support. States would be required to reimburse the Federal Government for the cost of the procedure.

2. Collection of Support for Adults:

Committee amendment.—Makes State child support agencies responsible for collecting support for a child's parent (with whom the child is living) as well as for the child himself.

3. Collection Fee for Non-AFDC Families:

Committee amendment.—Requires States to charge a fee equal to 10 percent of the support collected for non-AFDC recipients who use the child support enforcement agency services. This 10 percent fee would be charged against the absent parent and added to the amount of the collection. The fee would be retained by the State.

4. Child Support Obligations Not Discharged by Bankruptcy:

Committee amendment.—Reinstates the provision previously in effect declaring that a child support obligation assigned to a State as a condition of AFDC eligibility is not discharged in bankruptcy.

VIII. Supplemental Security Income

1. Retrospective Accounting:

Committee amendment.—Provides that SSI eligibility and benefit amount would, in general, be determined on a one-month basis as under current law. However, for the first month of eligibility (the month in which the application is filed) eligibility and benefit amount would both be determined on a prospective basis

2. Funding of Rehabilitation Services:

Committee amendment.—Repeals the authority of the Secretary of HHS to reimburse States for vocational rehabilitation services provided under SSI.

IX. Social Services

Committee amendment.—Establishes a social services block grant consolidating the present social services program and certain other programs under the Social Security Act.

Under the Committee proposal, the existing portions of the Social Security Act relating to child welfare services (title IV, part B) and foster care and adoption assistance (title IV, part E) would be repealed effective October 1, 1981. The existing Title XX social services grant program would be replaced by a social services block grant that would incorporate the present social services, day care, social service training, foster care, adoption assistance, child welfare services, and child welfare training programs. An estimated $3.519 billion will be spent on these programs in fiscal year 1981; a total entitlement of $2.539 billion would be provided for the new social services block grant for fiscal year 1982 and subsequent fiscal years. This figure represents a 25 percent reduction from the amounts available in fiscal year 1981. There would be no requirement of non-Federal matching funds. Day care offered under the block grant program would be subject to applicable State and local standards but not to federal standards (States are exempted from Federal standards under present law until July 1981)

A State's share of the $2.639 billion for the social services block grant would be based on the total amount to which the State was entitled under the various programs listed above as a portion of the total amount to which all States were entitled under these programs.

A State's share would be reduced by an amount related to foster care, adoption assistance, and child welfare services if the State failed to meet certain requirements related to those services. Specifically, the State would be required to have a child welfare, foster care, and adoption assistance program as under titles IV-B and IV-E. A State subject to the penalty would have its social services block grant reduced by 75 percent of the Federal funds for foster care, adoption assistance, and child welfare services that it received in Fiscal Year 1981.

CHRONOLOGY OF EVENTS

The following is a capsule summary of the legislative history of the Finance Committee medicare, medicaid, and income security provisions.

February 18, 1981.—President Reagan announced his economic recovery program, including proposals to establish a medicaid "cap", eliminate the PSRO program, eliminate the Social Security minimum benefit, and reform the AFDC earned income disregard formula.

March 10, 1981.—President Reagan announced further details of his Economic Recovery Program.

March 17, 1981.—The Senate Finance Committee began hearings on the President's proposals.

March 23, 1981.—The Senate Finance Committee held hearings on the President's PSRO proposal.

May 6, 1981.—Senate Finance Committee approved spending reduction proposals.

SUMMARY OF ESTIMATED SAVINGS AS AGREED TO BY THE SENATE FINANCE COMMITTEE

[In millions of dollars]

	Fiscal year		
	1982	1983	1984
Medicare	1,631	1,839	2,354
Medicaid	1,002	1,629	2,229
Maternal and child health	46	123	169
AFDC	1,011	1,240	1,288
CSE	112	123	137
SSI	50	78	75
Social Security	2,110	3,673	4,457
Social services block grant	993	1,166	1,319
Unemployment insurance	1,690	1,092	851

Other legislative activity

SOCIAL SECURITY FINANCING

On May 12, the President announced a series of social security proposals designed to ensure the solvency of the system both in the short and the long-term. The package included a wide variety of proposals ranging from tightening the disability insurance program to restraining the growth of future benefits.

Two months later, the Social Security Board of Trustees released its annual report underscoring the critical financial condition of the trust funds. Shortly thereafter (on July 7, 9, and 10) the Subcommittee on Social Security and Income Maintenance Programs held three days of hearings on Social Security financing and options for the future. Forty witnesses were heard, including the Secretary of Health and Human Services, the Commissioner of the Social Security Administration, one former commissioner, and various members of Congress. Additionally, testimony was received from panels of labor and business representatives, actuaries, the insurance industry, women's groups, and religious organizations.

In early September, a report prepared by the Finance Committee staff was issued detailing the financial condition of the Social Security trust funds. On September 23 and 24, the Finance Committee met to consider major funding options for effecting significant improvement in the long-range stability of the trust funds. Also, the Committee considered H.R. 4331, a House-passed bill to restore the minimum benefit.

On September 24, the Committee passed, by a vote of 20 to 0, a series of amendments to H.R. 4331. The amendments provided for: reallocation of tax income among the three trust funds, interfund borrowing between the OASI and DI trust funds, partial restoration of the minimum benefit; and two small program changes to finance the minimum benefit restoration. Whereas H.R. 4331 had a five year cost of $6.6 billion, the Committee amendment provided for savings of $200 million to the trust funds over the five years. The Committee amendments were approved by the Senate on October 15 by a unanimous vote.

On November 4, the House disagreed to the Senate amendments and requested a conference to reconcile the differences between the House-passed and the Senate-passed versions. The Conference began the following day.

In December, the House and Senate reached agreement on provisions of H.R. 4331 to restore the social security minimum benefit. After several weeks of negotiations, the conferees agreed to fully restore the minimum benefit for all current recipients, partially financing this change by extending the payroll tax on covered workers to the first six months of certain sick pay. Interfund borrowing on a temporary basis was authorized to ensure that the retirement and survivors' insurance trust fund can remain solvent throughout 1982 by drawing on the resources of the disability and hospital insurance trust funds. Finally, several amendments offered on the Senate floor were accepted that should lead to improvements in the administration of the social security program.

Under the Reconciliation Act, the minimum benefit will be eliminated for all present beneficiaries in March and is eliminated for all future beneficiaries. No person becoming eligible for old-age or disability benefits after October 1981 will be entitled to the minimum benefit. Benefits payable to new beneficiaries will be based on their actual earnings.

The conference agreement on H.R. 4331 restores the minimum benefit for all people who are eligible for benefits before January 1982 or whose benefits are based on a worker's eligibility or death before January 1982. Also, the elimination of the minimum benefit for future recipients applies to members of religious orders who have taken a vow of poverty, who were first covered under the social security program prior to the date of enactment, and who became eligible after December 1991.

With respect to interfund borrowing, guidance is provided to the Managing Trustee in the statement of manager instructions for determining when borrowing is appropriate in order to best meet the need for financing benefits. The Managing Trustee is instructed to consult with the other trustees in making such determination no less frequently than on a monthly basis. Moreover, in no case should interfund borrowing make adjustments in the trust funds that insure benefit payments for a period of more than six months beyond the date of such determination. It was the view of the conferees that interfund borrowing was a safety mechanism to ensure benefit payments could be paid next year, but that it should not substitute for more comprehensive financing legislation in the near and long term.

Although all of the Senate amendments to H.R. 4331 had merit, the conferees ultimately agreed to just four. First, to facilitate the denial of benefits to prisoners, as enacted in 1980, the conference agreement would waive any contrary Federal or State laws to require Federal, State, or local government agencies to furnish the name and social security number of prisoners convicted of a felony. Second, to improve the situation with regard to incorrect or overpayments, a provision is included that would require the Secretary of HHS to report to Congress within 90 days of actions being taken to prevent payments to deceased social security beneficiaries. Third, it would make it unlawful to alter, buy, sell, or counterfeit social security cards; increase the classification of card violations from misdemeanors to felonies; and increase the maximum penalty to $5,000 or 5 years in prison.

Finally, the Secretary of HHS would be required by January 1, 1982, to enter into agreements with at least 7 states for demonstration projects to train AFDC recipients as home health aides. The Secretary is currently authorized to approve up to 12 such projects.

COMMITTEE ON FOREIGN RELATIONS

This year has been very productive in the Senate Foreign Relations Committee under the leadership of the distinguished chair, Senator Charles Percy. This was possible because of a real desire on both sides of the aisle to have a bipartisan approach to the issues before the Committee.

With the change in the White House the Foreign Relations Committee had the responsibility to hold hearings on the Administration's new foreign policymaking team. This involved hearings on 156 nominations including 25 assistant secretaries or higher, 69 ambassadors, 22 appointments to independent agencies, seven appointments to the U.S. Mission to the U.N., five appointments to the multilateral lending institutions, 16 appointments to U.S. delegations to international organizations and negotiations, and 12 appointments to various boards and commissions. One nominee, Ernest Lefever, was rejected by the Committee. (There will be about 10 to 20 additional ambassadorships to consider after the turn of the year.)

In addition, the full Committee as of October 20 held a record high 143 open hearings, and its subcommittees held 19 of their own. For issues which could not be considered in open session, there were 27 executive sessions and 19 briefings and consultations.

The subjects included arms limitation and nuclear proliferation issues; arms control and foreign policy implications of the President's strategic weapons modernization program; Middle East matters including the Iranian agreements, instability in Lebanon, Libya's role in sub-Saharan Africa, the situation in the Persian Gulf, nuclear cooperation with Egypt, the Israeli strike on the

Baghdad reactor, the downing of Libyan jets by United States planes, and the sale of airborne warning systems and fighter enhancements to Saudi Arabia; and a host of international economic issues.

In addition, the committee kept close watch on the situations in Poland and Central America, and systematically followed foreign trips made by the President, Secretary of State and other officials of the State Department by various forms of briefings.

The committee's major piece of legislation, the foreign assistance authorization bill (S. 1196), was acted on after extensive hearings. During the markup, Chairman Percy introduced a bipartisan budget reduction of $900 million with Senator Pell which was subsequently adopted by the administration in its revised budget request. The committee was therefore able to gain support for the foreign military and economic assistance bill on the floor without further significant cuts.

In its other major piece of legislation, the Committee reported its authorization for the Department of State, the International Communication Agency, the Board for International Broadcasting, the Arms Control and Disarmament Agency, the Asia Foundation and the Inter-American Foundation. The bill was reported without objection in the committee and was upheld on the floor.

Both bills significantly reflect the national demand for fiscal austerity. The aid bill also reflected committee majority opinion that the President requires increased flexibility in his daily conduct of foreign policy. The Senate, with few modifications, upheld the committee's recommendations in this regard for aid to Pakistan, Angola, Chile, Argentina and El Salvador. As of December 11, the aid bill was headed for a conference with the House.

The Committee has considered the following nomination:

Assistant Secretaries of State or higher	25
Ambassadors (Chief of Mission and at Large)	69
Appointments to independent agencies	22
Appointments to the United Nations	7
Appointments to multilateral lending institutions	5
Appointments to international organizations and negotiations	16
Appointments to various boards and commissions	12
Subtotal	156
Promotion lists for Career Ministers, Foreign Service and Senior Foreign Service	1,878
Total	2,034

The committee found time during the year to meet on highly successful and informative sessions on 46 occasions with officials and delegations from foreign countries, again a record number. Heads of state from Jamaica, Korea, Great Britain, the Netherlands, Japan, Germany, Egypt, Israel, El Salvador, Niger and Spain met with the committee, as did the President-designate of Argentina.

As the only Committee in Congress to have jurisdiction over treaties, the Committee handled 47 treaties, reporting 33 of them to the full Senate for advice and consent, recommending six for return to the President, and conducting initial hearings on eight others. Included among those reported to the Senate were a number of agreements which, because of their complexity or controversy, had remained in the Committee for two years or more.

Chairman PERCY. It gives me great pleasure to acknowledge the contribution of all the members of the committee. In particular those new members who assumed chairmanship of subcommittees, performed admirably in all of the tests which they faced during the session. I especially thank the ranking minority member, Senator Pell, for his wise counsel and the atmosphere of bipartisanship which we together sought to achieve. That spirit will surely continue in the second year of this session and will help us manage a very heavy workload.

The Committee met on 46 occasions with distinguished foreign officials and delegations. Among the visitors were: Prime Minister Edward Seaga of Jamaica, President Chun Doo Hwan of Korea, Prime Minister Margaret Thatcher of Great Britain, President-designate Roberto Viola of Argentina, Prime Minister Andreas van Agt of the Netherlands, Prime Minister Zenko Suzuki of Japan, Chancellor Helmut Schmidt of Germany, President Anwar Sadat of Egypt, Prime Minister Menachem Begin of Israel, President Jose Napolen Duarte Fuentes of El Salvador, President Seyni Kountche of Niger, and King Juan Carlos of Spain. In addition there were foreign ministers and other officials from 17 countries and delegations from the United Nations, the British-American Parliamentary Group, African Development Bank, European Parliament, Federal German Parliament and the International Red Cross.

COMMITTEE ON GOVERNMENTAL AFFAIRS

Under the chairmanship of the distinguished Senior Senator from Delaware, Senator Roth, the primary objective of the Committee on Governmental Affairs in this first session of the 97th Congress was to concentrate its resources and energy in a sustained effort to expose and examine wasteful, inefficient or fraudulent spending of taxpayer dollars in government programs and to seek legislative and administrative reforms to correct these problems wherever possible.

One of the most important means of ensuring more efficiency and effectiveness in the management of federal programs is through increased use of the tool of Committee oversight hearings. Oversight of the management of government programs is not often very attractive because it involves painstaking research on often times detailed and uninteresting subjects. Yet, only through "continuous watchfulness" over the expenditure of taxpayer resources by Congressional Committees, as mandated by the Legislative Reorganization Act of 1946, can the public be assured that Government programs are operated as efficiently as possible.

The Governmental Affairs Committee has been given the unique assignment by the Senate to study and evaluate the "economy, efficiency and effectiveness of all agencies and departments of the Government." In addition to its own resources, the Committee has nine subcommittees, including a special Subcommittee on Investigations, which can pursue oversight activities within their areas of concern. These subcommittees, as part of the full committee, were asked to make a special effort to scrutinize programs and policies in their areas to highlight ineffective or fraudulent activities in government and pursue necessary reforms.

The Committee this first session did devote a substantial share of its time and resources to carefully overseeing the operations of a wide variety of government programs. Fraud and mismanagement in government was revealed by both full committee and subcommittee hearings.

At the full committee level, oversight hearings were convened to examine the effectiveness of agency efforts to curb unnecessary travel by federal employees and to explore the reasons for excessive cost overruns in Defense Department programs. Hearings were also held to explore the extent of fraud existing in federal programs and to review what changes agencies are making to prevent illegal or fraudulent activities.

In the subcommittees, oversight hearings were held to review the management of federal grant-in-aid programs, to review the effectiveness of federal contracting procedures and to examine the management of postal programs. In addition, the Permanent Subcommittee on Investigations examined fraudulent or illegal activities in the federally supported home health care program, in federal employee health benefits programs and recently highlighted serious illegal drug smuggling activities.

As these highlights make clear, the Committee acted to fulfill the major objective set by Chairman Roth by conducting intensive oversight hearings on a range of government programs. To back up these efforts, the Committee considered various pieces of legislation designed to improve the effciency of federal programs and reduce instances of mismanagement or fraud. Such bills include regulatory reform legislation, federal aid management reform legislation, legislation to create a citizens commission to recommend major improvements in the structure of government, legislation designed to improve agency accounting and internal control systems and measures intended to improve federal efforts to collect debts from those who have defaulted on their government loans. In short, the Committee considered many measures to make government operate more effectively and with less waste.

The Governmental Affairs Committee, both because of the unique role assigned to it by the Senate and because of the objective set for it by its chairman at the beginning of this year, aggressively moved to improve the management and efficiency of various federal activities. The need to ensure that every tax dollar is used in the most effective way possible is now more pressing than ever and the Committee's efforts this year have been designed to fulfill this need.

The first session of the 97th Congress was one of the most productive periods in the history of the Governmental Affairs Committee. The Committee moved aggressively to fulfill its duties as one of the primary oversight Committees of the Congress and intensified its efforts to improve the management of federal programs.

The Committee concentrated its efforts on:

(a) Bringing to light the problems of waste, fraud and mismanagement in Federal programs and finding solutions to those problems:

(b) Reducing federal budget expenditures by carefully and responsibly lowering the costs of government programs within the Committee's jurisdiction;

(c) Reducing the cost and improving the management of the federal regulatory process;

(d) Laying the ground work for sustained improvements in the operation of federal programs and the federal system;

(e) Improving the management of federal-aid programs;

(f) Examining potential improvements in the management of the acquisitions process in the Defense Department;

(g) Reviewing the operation of the congressional budget process to ascertain its strengths and weaknesses; and

(h) Intensively reviewing the management of federal employee resources to ensure that those who have responsibility for federal programs are able to effectively manage them.

Among the more important legislative actions in the Committee were consideration of the following bills:

(1) The Regulatory Reform Act of 1980 (S. 1080, introduced by Senator Laxalt) which is intended to improve and reduce the cost of the federal regulatory process by (a) requiring most federal agencies to perform a regulatory cost analysis of each major regulation before final approval of the rule; (b) certifying that the costs of each major rule is reasonably justified by its benefits; (c) requiring all agencies to publish annual agendas of upcoming regulations to inform the public of agency activities; (d) mandating that all agencies review existing major rules to ensure that they are cost-effective; and (e) strengthening oversight mechanisms to ensure the regulatory agencies are more accountable to the public.

(2) The Omnibus Reconciliation Act of 1981 (Title XVII of S. 1377, Public Law 97-35) was signed into law on August 13, 1981. The Act is designed to reduce federal spending for a saving of approximately $35 billion in fiscal year 1982 and more than $100 billion in fiscal year 1983 and 1984. The Committee on Governmental Affairs, as its contribution to the efforts to reduce spending, enacted changes in programs under its jurisdiction amounting to saving of more than $5 billion in fiscal year 1982 and further spending reductions in fiscal year 1983 and 1984. The Committee also acted to ensure adequate public participation in state-level spending decisions on new block grant funds created under the Reconciliation Act. In addition, the Committee adopted legislative provisions designed to ensure that the proposed nine-digit Postal Service zip code is cost-effective and not a burden to the public.

(3) The Federal Assistance Improvement Act of 1981 (S. 807, introduced by Senator Roth) was reported out of the Government Affairs Committee and is designed to (a) encourage the consolidation of grant programs to improve the efficiency of federal aid; (b) encourage more effective audits of federal aid programs and mandate greater federal rules and regulations concerning grant programs; and (d) provide greater flexibility to state and local governments in their use of federal funds. This bill originated in the subcommittee on Intergovernmental Relation, which under the leadership of Senator Durenberger, examined the structure of many of the programs in the $85 billion intergovernmental grant

system, with an eye toward reducing mandated red tape for state and local governments.

(4) Legislation to Create a Commission on More Effective Government (S. 10) was considered and passed by the Committee in July of this year. The bill authorizes the creation of a national commission to make recommendations for improving governmental performance at the Federal level and throughout the intergovernmental system. Members of the Commission would be appointed by the President, the Speaker of the House and the President Pro Tempore of the Senate. The Commission is modeled after the two Hoover Commissions of the 1940's and 50's and its bipartisan makeup would help to ensure that its recommendations for improved and more cost-effective government would be supported by the Congress and the American people.

(5) Debt Collection Practices Act of 1981 (S. 1249) establishes a comprehensive framework to increase the efficiency and effectiveness of federal debt collection practices. Currently, some 120 billion is owed to the federal government by those taking advantage of federal loans and other aid programs. These uncollected debts cost taxpayers some $10 million a day in interest. S. 1249 would authorize greater use of private collection agencies in collecting debts, would encourage information procedures regarding those who owe money to the federal government, and would provide more effective penalties for those who default on their federal loans.

(6) Reorganization Act of 1981 (S. 893, introduced by Senator Roth), reauthorizes the authority provided to most past Presidents to propose plans for reorganizing government agencies in an effort to enhance program effectiveness and improve efficiency. The Committee on Governmental Affairs has been endowed by the Senate with broad authority over the organization and structure of the federal government and the Committee has long been concerned with methods of reducing overlaps between agencies and ensuring that agencies are structured so that they are made more accountable to the public. The Reorganization Act is intended to encourage Congress and the President to work together to improve the organization of government. The Committee reported S. 893 to the full Senate in May.

Aside from legislative activities, the Committee conducted several inquiries and analyses on important aspects of governmental operations.

In a study prepared by the Permanent Subcommittee on Investigations entitled "Home Health Care Fraud and Abuse", the operations of five nonprofit home health care agencies, which received federal Medicare funds, were investigated. Based on these investigations, the Subcommittee, under Chairman Roth, concluded that the home health care program lends itself to fraud, waste and abuse and enables unscrupulous operators to profit substantially at the expense of the taxpayer. The Subcommittee also found that the current method used by the federal government to reimburse home health care operators provides no incentive to contain costs. The Subcommittee made numerous recommendations, based on its findings, including more careful auditing and alternative methods of payment under the program to reduce opportunities for fraud.

A report prepared by the Oversight of Government Management Subcommittee examined the government's use of so-called debarment and suspension authority in its contracting activities. Debarment is a procedure designed to insure that government agencies not contract with a supplier who has a record of misrepresentation or fraud, and the suspension process is designed to protect government interests when a contractor is suspected of fraudulent activities. Both procedures are designed to protect taxpayer dollars in federal programs from unscrupulous operators.

The Subcommittee, chaired by Senator Cohen of Maine, investigated four specific contracting cases and found that federal agencies routinely contract with firms which have had a bad record in the past. The Subcommittee recommended several actions to ensure that federal agencies do not rely on companies with questionable reputations in contracting for goods and services.

The Intergovernmental Relations Subcommittee held 25 hearings, under leadership of Senator Durenberger, to design the road we must travel in 1982 to help the President establish a new Federalism. The desired goal is a new partnership between States, cities, the Federal Government, the individual, and his/her private institutions. The Subcommittee's work should prove helpful in furthering that goal.

During the 1st Session of the 97th Congress, the Committee also received and reviewed 37 nominations, including the following: the Director and Deputy Director of the Office of Management and Budget; the Administrator for the General Services Administration; the Administrator for the Office of Federal Procurement Policy; the Director of the Bureau of the Census; 15 Inspectors General; the Director and Deputy Director of the Office of Personnel Management; the Director and Associate Directors of the Federal Emergency Management Agency, and the Comptroller General of the United States.

Of the 37 nominations, 33 had been approved as of October 20th; three had been withdrawn by the President; and one remained under review by the Committee.

BILLS AND RESOLUTIONS REFERRED AND CONSIDERED

During the 1st Session of the 97th Congress, 131 Senate and House bills and resolutions and 37 nominations were referred to the Committee for consideration (as of October 1st, 126 Senate bills, 5 House passed bills, and 16 joint, concurrent, or simple resolutions were referred). Of the total, fifteen were reported by the Committee to the full Senate and three were enacted into laws.

HEARINGS

During the 1st Session of the 97th Congress, the Governmental Affairs Committee held 66 hearings covering 92 days. The subjects of these hearings, in addition to nominations and legislative proposals pending before the Committee, included:

(1) Corruption in the International Longshoremen's Association;

(2) Oversight of the Congressional Budget Process;

(3) Oversight of the Acquisitions Process in the Department of Defense;

(4) Review of the Extent of Waste, Fraud and Mismanagement in Government Programs;

(5) Examination of the Effectiveness of the Federal Government's Management of Employee Travel and Review of Efforts to Control Unnecessary Travel;

(6) Fraud in the Home Health Care Industry;

(7) Fraud and Misrepresentation in Claims Filed for Disability by Federal Employees;

(8) Review of the Reasons for and Extent of the Loss of Top Management in the Federal Government;

(9) Review of Energy Conservation Strategies for the 1980's;

(10) Examination of State Implementation of Federal Regulatory Programs;

(11) Examination of Various Factors Affecting the Federal System;

(12) Oversight of the Use of Consultants by the Defense Department; and

(13) Examination of the Federal Government's Refusal to Pay Debts Owed to Private Citizens in a Timely Manner.

REPORTS FILED IN THE SENATE

The Committee, and its subcommittees, prepared 26 reports and studies during the 1st Session of the 97th Congress. Fourteen of these accompanied legislative proposals considered and acted on by the Committee. The remaining 12 included the results of special studies and inquiries which were issued as Committee prints or Senate documents.

Among the special studies were a special report from the Permanent Subcommittee on Investigations concerning the Labor Department's Investigation of the Teamsters Union's Central States Pension Fund and a report from the Permanent Subcommittee on Investigations Concerning the Effectiveness of the Department of Energy's Gasoline Allocation Program.

COMMITTEE ON THE JUDICIARY

Chairman Thurmond reorganized the Committee on the Judiciary at the beginning of the 97th Congress so that each of its subcommittees would have substantial legislative and oversight jurisdiction with Committee operations organized along functional lines. The Chairman emphasized during the reorganization process that efficiency in Committee operations and the public interest should be overriding considerations in all Committee activities. He noted the paramount interest of the American people in criminal and civil justice and set goals for the Committee which reflected a commitment to a strict construction of the Constitution and a desire to maximize individual freedom.

This functional reorganization resulted in nine subcommittees instead of seven in the previous Congress. The new subcommittees and their Chairmen are Criminal law (Mr. Mathias), Regulatory Reform (Mr. Laxalt), the Constitution (Mr. Hatch), Courts (Mr.

Dole), Immigration and Refugee Policy (Mr. Simpson), Separation of Powers (Mr. East), Agency Administration (Mr. Grassley) Security and Terrorism (Mr. Denton), and Juvenile Justice (Mr. Specter). The subcommittee organization reflects the jurisdictional responsibility of the committee over criminal law, regulatory and administrative law, oversight of the Department of Justice, antitrust, patent, copyright and trademark law, the Constitution, federal courts, immigration and refugee policy, and internal security.

In addition to its legislative and oversight roles, the Committee passes on a large number of judicial and executive nominations. The Committee recommended the approval of the first woman to be nominated to the United States Supreme Court. In providing the background and recommendation on which the Senate could fulfill its Constitutional duties, the Committee held three days of hearings and considered the views of a wide range of witnesses. On the recommendation of the Committee, the Senate unanimously confirmed the nomination of Sandra Day O'Connor to be an Associate Justice of the Supreme Court. The Committee also considered the nominations of eight Courts of Appeal judges, over thirty District Court judges, over sixty of the United States Attorneys positions and all of the principal officers of the United States Department of Justice.

The structure and capabilities of the federal judiciary have been the focus of much of the Committee's work during the First Session. The Committee gave considerable attention to a bill to reorganize the appellate structure of the federal courts in the patent, trademark, copyright, and claims against the United States areas by consolidating the Court of Customs and Patent Appeals and the Court of Claims into a new United States Court of Appeals for the Federal Circuit. The Subcommittee on Courts has taken up bills to establish a National Court of Appeals and to provide greater flexibility for the Supreme Court to decide what cases it will hear from among the 5,000 petitions annually filed.

In passing the Federal Courts Improvement Act of 1981, S. 1700, as reported by the Judiciary Committee, the Senate made substantial improvements in two areas of vital concern to our people and to the progress of the economy. First, the Act provides for speedy and complete relief for parties with legitimate claims against the Government. Second, it establishes a system to achieve definitive, consistent, and expeditious rulings on questions of patent law. Transmuted into a single appellate court are the Court of Claims and the Court of Customs and Patent Appeals. Created as an Article I court is a Claims Court. Citizen claims against the Government will be processed and decided in a timely and just fashion. And the problems of disparate and inconsistent interpretations of the patent laws, with consequent harm to successful technological innovation, will be done away with. Additionally, the Act made certain incremental improvements in the operations of all federal courts of benefit to the Nation.

During the course of the year, the Committee also engaged in intense efforts to examine and improve the laws that provide law enforcement and criminal justice authorities the necessary tools to wage an effective war against crime. Approving a resolution, S.

Res. 141, that combatting violent crime should be a national priority was no symbolic gesture but a fervent commitment for the members of the Committee. Some critical decisions by the Chairman determined the strategy that the Committee's efforts should take. Criminal code reform was to be a goal but controversial subjects such as capital punishment, modification of the exclusionary rule, and reconsideration of the insanity defense, were to be removed from the omnibus criminal code reform proposals and offered separately. Critical areas such as considering methods of protecting the public from crime committed by dangerous persons already under indictment for other offenses, examination of the problem of juvenile crime, review of laws deterring persons from repeating violent offenses by means of firearms, and review of the procedures by which convicted felons may have their cases presented again and again to the federal courts, were examined independent of the criminal code reform legislation.

Senator Thurmond thus introduced measures to modify the Hobbs Act, S. 613, to limit the availability of federal habeas corpus relief for state prisoners, S. 653, to permit federal courts to detain without bail defendants adjudged to be dangerous to community safety, S. 1554, and to modify the insanity defense in federal criminal cases, S. 1558; and Senator Hatch introduced S. 751 to modify the exclusionary rule. Hearings have been held during which the ramifications of these proposals were extensively and thoroughly aired. Mark-up was held on S. 751. The work done in the subcommittees and in full committee on these important proposals should provide the basis for considerable legislative initiative in the second session.

On November 18, the Committee approved S. 1630, the Criminal Code Reform Act of 1981, introduced with bipartisan support from the Members of the Committee, and altered only minimally in mark-up session. This is basically the same bill that was reported by the Committee in the 96th Congress and sponsored by Senator Kennedy. It does include some changes: money bail is eliminated and authority is included for pretrail detention for defendants deemed dangerous to others by the court; sentence ranges are slightly increased; federal jurisdiction would be extended to cover both bribery and graft with regard to an agent of a State or local government who is charged with administering monies or properties derived from a Federal program; federal Hobbs Act jurisdiction could be invoked in labor management dispute related violence; and the obscenity instructions would include an objective standard on the issue of appeal to prurient interest.

While the need for reform of the body of Federal criminal law is compelling because it contains too many archaic and difficult-to-locate provisions, too many gaps, and too much redundancy, inconsistency, and sentencing disparity, the Committee investigated other areas thas also cry out for reform.

Hearings were held in July on violent crimes committed by juveniles, a problem that is now receiving nationwide attention. In the budget reconciliation process, Senator Specter, the Chairman of the Subcommittee on Juvenile Justice took the lead in maintaining an adequate level of funding for the Office of Juvenile Justice and Delinquency Prevention, with the full Senate approving his recommended $70,000,000 in the Department of Justice Authorization bill, S. 951, H.R. 416, rather than the $50,000,000 sought by the Department of Justice.

Close cooperation between Senator Specter and Senator Mathias, Chairman of the Subcommittee on Criminal Justice, allowed hearings on state and local court adjudication of drunk driving, victimization of children, means of identifying violent criminals early during the juvenile delinquency stages, mandatory life sentencing for career criminals and federalizing repeated commission of firearm related violent crimes. Senator Specter introduced two related pieces of legislation, S. 1688 and S. 1689, that would permit the federal courts and the federal prison system to incarcerate state and federal repeat offenders whose career is violent crime involving firearms. Senator Mathias' Subcommittee conducted hearings on these bills, during which considerable testimony was entered concerning the importance of removing the small number of such repeat offenders from society in terms of preventing the tremendous number of violent offenses for which they are responsible.

On December 10, 1981, the Subcommittee on Criminal Law held the first hearings devoted solely to proposed amendments to the Hobbs Act, which prohibits robbery and extortion in interstate commerce. This issue had been treated in the past in the context of criminal code reform. The Hearings focused on S. 613, introduced by Senator Thurmond, which would create two new offenses making it a Federal crime to inflict major personal injury or property damage in a labor dispute, and would reverse the Supreme Court's Enmons decision holding that the Hobbs Act does not reach violence or threats of violence in the course of an otherwise legitimate labor dispute.

Other related hearings include oversight and authorization review of Department of Justice operations, including confirmation hearings of the Attorney General William French Smith, and the Associate Attorney General, Rudolph Guilliani, and acceptance of the Report of the Attorney General's Task Force on Violent Crime. The Attorney General and the Department of Justice criminal law personnel have been exceedingly cooperative with the Committee. Evidence of this is in the close cooperation experienced in collaborating on S. 1630, the proposed Criminal Code Reform Act of 1981. Continuation of this working relationship is predicted for the second session during which the Committee expects to report substantive criminal law legislation for consideration by the Senate.

In the economic area, the Committee emphasized an approach designed to free American business from unwarranted or unnecessary Federal intervention. The Committee reported to the Senate several measures designed to enhance free competition in the marketplace and to restrict governmental overregulation. Chief among these reported by the Committee is S. 1080, the Regulatory Reform Act of 1981, a product of Senator Laxalt's Subcommittee on Regulatory Reform. The design of the provisions of S. 1080 is to supply a rational framework for agency analysis and decisionmaking that is lacking in the current rulemaking process and to ensure that all interested parties can participate fully in that process. Toward those ends S. 1080 requires a "regulatory analysis" of all rules with major impact. Regulatory analysis, based upon concepts of cost-benefit analysis, will secure a rational weighing of regulatory proposals by requiring agencies to publicly identify the effects of proposed regulations, to consider public comments about those effects, and to make determinations whether the benefits of the proposed regulations justify their costs. To ensure the fairness and reliability of the process and to expose the agencies to the benefits of the experience and expertise of all citizens, the bill proposes that agencies be required to give the public more information about a proposed regulation and that the opportunities for public participation in rulemakings be expanded.

To assure effective Executive Branch oversight of agency compliance with the new procedures the President is authorized to provide guidance for the effective coordination and implementation of the revised process. Finally, S. 1080 seeks to further ensure the propriety and accountability of agency action by directing the reviewing courts to play a more active role in construing statutes which transfer regulatory power to agencies by taking a hard look at assertions of regulatory jurisdiction or authority.

S. 1080 was introduced on April 30 of this year and referred to the Committees on the Judiciary and Governmental Affairs. Both have made significant improvements in the bill as introduced. Both Committees also favorably reported the bill and any differences that have arisen are technical in nature. This leaves only the most significant issues open for further resolution. Floor consideration for S. 1080 is now scheduled for late January 1982.

The Committee also began to address a number of social issues that have been matters of continuing public controversy, specifically the issues of abortion, busing, and school prayer. In three days of hearings (May 20-21 and June 22) the Subcommittee on the Constitution, under the chairmanship of Mr. Hatch, heard extensive scholarly testimony addressed to the question of Congress' power to restrict the jurisdiction of the federal courts, including the appellate jurisdiction of the Supreme Court, to adjudicate these issues.

On November 3, the Constitution Subcommittee reported S. 1760, a bill to prohibit the lower Federal courts from requiring racially based assignment or transportation of students to the public schools. That measure would permit existing court orders to be reviewed in Federal court and vacated unless the reviewing judge made specific findings required by the bill to support the order. A second Judiciary subcommittee has also cleared the way for full committee consideration of busing legislation this Congress. The Separation of Powers Subcommittee, under the chairmanship of Mr. East, on November 16 reported S. 1647 which, in addition to barring forced busing orders, would prohibit lower Federal courts from ordering school closings or the transfer of teachers to desegregate the schools. As reported, that bill would allow any State or local "educational agency" affected by a court decree requiring forced busing, school closings or teacher transfers to seek dissolution of the order in Federal district court. An almost identical measure, S. 1743, is presently on the Senate Calendar and could be called up at any time.

In the abortion area, the Committee reviewed several alternative approaches to the issue. Senator East's Separation of Powers Subcommittee held 8 days of hearings on S. 158, the Human Life

Statute. S. 158 would declare that human life begins at conception and would allow the states to enact laws protective of fetal life. The bill was reported favorably by the Subcommittee and awaits full Committee consideration. Senator Hatch's Subcommittee on the Constitution has considered several constitutional amendments respecting abortion, including S. J. Res. 110, the Human Life Federalism Amendment, a proposal which would make clear that the Constitution does not secure a right to abortion and would vest concurrent authority in Congress and the States to restrict or prohibit abortions. Comprehensive hearings have been held on these proposals and Subcommitsee consideration is expected to be concluded early in the next session.

Early in the Congress, Chairman Thurmond indicated to the Committee his view that immigration and naturalization statutes have become excessively complex and are enforced with a low degree of certainty. The Committee, through its Subcommittee on Immigration and Refugee Policy, Chaired by Senator Simpson, undertook a comprehensive review of the substance and implementation of several major provisions of the immigration laws.

In April, the Subcommittee conducted oversight hearings on the Immigration and Naturalization Service. The following month it held joint hearings with the House Committee on the Judiciary on the Final Report of the Select Commission on Immigration and Refugee Policy. In another joint hearing, held July 30, 1981, the Subcommittee examined the Administration's immigration and refugee policies. Oversight hearings on the Cuban-Haitian asylum program were conducted the following day. More recently, the subcommittee has considered proposed sanctions on employers who hire illegal aliens and reviewed current procedures for adjudicating actions to exclude or deport aliens and for determining claims for asylum.

This review of immigration laws, policies, and procedures is nearing completion and the Committee hopes to accomplish a major revision of the immigration laws during the Second Session of the 97th Congress. In so doing, the Committee has been, and will be guided by the principle that the American people have a right to expect the Federal government to provide secure borders.

Americans have also become increasingly and justifiably alarmed at the rise in terrorist activity around the globe. Internal security concerns of this country, which must always be considered of critical importance, have taken on even greater significance as terrorists and their activities more directly touch the United States and its interests. The Committee, through its Subcommittee on Security and Terrorism, has undertaken a detailed study of the origins and direction of international and domestic terrorism. Under the chairmanship of Senator Denton the Subcommittee has developed in the public record substantial information concerning the nature and root causes of the terrorism menace. The work of the Subcommittee will continue and intensify during the Second Session of the Congress and will maintain focus on the terrorist threat. The Subcommittee will also be examining the apparent inability of the United States to adequately deal with the "technology transfer" problem, a phenomenon which has resulted in significant transfers of high technology to the Soviet Union and other countries of the

Communist bloc. Such transfers, some legal and others already illegal under present law, may seriously work to the detriment of our national interests.

In a related area, the Subcommittee on Criminal Laws examined in detail the need to extend to other Federal officials, Federal laws protecting the President, the Vice President, and Members of Congress from assassination and other criminal acts. Senator Mathias and his Subcommittee took extensive testimony on the advisability of making it a Federal crime to commit such acts against cabinet officers and their deputies, White House staff, and justices of the Supreme Court.

COMMITTEE ON LABOR AND HUMAN RESOURCES

The Senate Labor and Human Resources Committee is as extensive in breadth of jurisdiction as any other committee of the Senate. Legislation from the committee touches the lives of every American. Under the guidance of Chairman Orrin G. Hatch, the committee is charged with overseeing programs that involve government in pre-natal and neo-natal care of infants and mothers; overseeing federal efforts to improve the quality of education of our youth through high school, and federal efforts to assist college and other secondary students earn advanced degrees; working to help the handicapped and disabled lead fulfilling lives; dealing with vocational education and job training for workers entering the job market for the first time, or re-entering the market. In addition, the committee is concerned with the safety and health of workers on the job and provides the framework upon which pension plans are built for retired workers. Chairman Hatch and the committee is currently involved in efforts to improve services to the aged, who are unable to meet inflated costs of home heating in winter. The committee also works with the ways in which these many programs interact to affect families, which consist of Americans from a very young to a very old age.

Chairman Hatch has opened new frontiers in the 97th Congress First Session, in almost all of these fields. The committee's efforts during the novel budget reconciliation process this past summer have literally restructured the federal-state and federal-local government relationships passing major responsibilities for the health and well-being of Americans to those levels of government closest to the people who need the services. Not coincidentally this committee made a milestone effort to control and reduce runaway federal spending, while at the same time preserving critical services for those people who have no other source of aid in times of great need. The committee was charged by the Senate to make almost 25 percent of the total budget savings required over the next four fiscal years and met that target.

At the same time, the Labor and Human Resources Committee worked to make many of these programs work better, and often at a reduced cost. Congressional oversight is considered a very serious responsibility by this committee—we created this year a subcommittee dedicated solely to investigations and oversight and we have conducted in all subcommittees and the full committee thorough oversight proceedings on several federal agencies. The committee concerns are that those employed by the government recognize fully their responsibilities to their fellow citizen to spend public moneys with great care and consideration.

Members of the committee represent an extremely wide divergence of political thought, but have been able to work together many times under very trying circumstances, and much of the legislation they reported out reflects the great care exercised in looking out for their constituents and all other Americans.

SUBCOMMITTEE ON INVESTIGATIONS AND GENERAL OVERSIGHT

During the first session of the 97th Congress the Subcommittee on Investigations and General Oversight chaired by Senator Paula Hawkins, has initiated inquiries into several areas of governmental operation that fall under the jurisdiction of the Committee on Labor and Human Resources.

National war on cancer

On May 21, 1981, the Subcommittee conducted hearings to examine the progress made by the National Cancer Institute toward the treatment and cure of cancer. The Subcommittee's investigation disclosed a problem in the Institute's ability to successfully inform and educate community physicians and hospitals in the most recent development in research and treatment. The testimony revealed that 85 percent of the cancer patients in this country are treated at the community and local level. The critical appraisal of the Institute's ability to disseminate information and scientific research was echoed by community physicians from cancer treatment centers across the country.

Also questioned in the May 21st hearing was the National Cancer Institute's failure to report kidney failure among several patients receiving the cancer drug methyl-CCNU to the Food and Drug Administration. The reporting of such adverse drug reactions has been the focus of the Subcommittee's continuing investigation of the National Cancer Program. Additional hearings on this subject are scheduled.

At the conclusion of the hearing, Chairman Hawkins called on Health and Human Services Secretary Richard Schweiker to develop a special study commission to recommend improvements in the transfer of research and treatment breakthrough to community hospitals and physicians. Secretary Schweiker responded by naming a Committee on Community Oncology and Technology Transfer. This committee met first in July of this year and continues to meet on a regular basis. The Subcommittee will continue to monitor the progress of the study commission and to work with the Secretary to ensure that all cancer patients in this country have the benefit of the most advanced treatments.

In November the Subcommittee continued its inquiry with two days of hearings to examine the National Cancer Institute's experimental new drug program. The testimony disclosed serious problems in the information given to cancer patients when they participated in the use of new methods of chemotherapy. In addition, the Subcommittee disclosed the Institute's inability to promptly report the adverse side effects which some patients experienced.

In some cases the patients died from the toxic side effects of the cancer drugs.

The Food and Drug Administration, charged with the responsibility of investigating these adverse drug reactions, was frustrated in its efforts to monitor and report the dangerous side effects of the cancer chemotherapy. Individuals deep within the Agency testified to a special relationship with the National Cancer Institute which prevented them from carrying out their investigative responsibilities. An FDA chemist who had testified before the subcommittee reported harassment from her superiors as a result of her statements.

These serious allegations were given a full and complete airing at the November hearings. Responsible officials from the National Cancer Institute and the Food and Drug Administration gave detailed testimony regarding the efforts made by the respective agencies to address these serious concerns. Physicians from the leading regional cancer centers disclosed new safeguards to protect patient safety and new procedures to guarantee the patient the most complete and reliable data before being asked to participate in an experimental drug program.

The Subcommittee's inquiry is expected to be continued in 1982. The problems disclosed at the hearings held in 1981 will be monitored for the expected improvements and new procedures.

Employment and training programs

On August 7, 1981, the Subcommittee targeted the Comprehensive Employment and Training Administration programs and practices in the state of Florida. At an Orlando field hearing investigators and auditors from the federal, state and local levels disclosed to Chairman Hawkins and members of the Subcommittee incidents of wrong-doing and fraud in the expenditures of federal CETA dollars. Testimony disclosed CETA funds being paid to a psychologist who had no degree in psychology and whose address was determined to be a vacant lot; thousands of dollars in loans to various individuals in the programs which were never paid back; one organization director who received a salary under his real name from one source of funding and was simultaneously receiving a salary as a clerk-typist under an assumed name; and the purchase of hundreds of thousands of dollars of farm equipment that was never located.

Additional testimony revealed several incidents of abuse of program funds. Witnesses related examples of self-dealing between funded CETA corporations and private companies actually established by the same individuals who were in control of federal CETA funds. The Subcommittee was assured that proper controls and reviews are now in place to prevent this wrong-doing from recurring in the future.

Occupational safety and health

On September 23, 1981, the Subcommittee focused its attention on the practices and procedures of the Occupational Health and Safety Administration.

In a joint hearing with the Subcommittee on Labor, Assistant Secretary Thorne G. Auchter presented his plans and proposals for the Administration of OSHA. Assistant Secretary Auchter was able to address specific concerns of business and labor and to report to the Congress the directions for Occupational Safety and Health under the new Administration. The Subcommittee also heard testimony from concerned officials representing a variety of business, labor, and industry sectors.

Missing children

On October 6, 1981, the Subcommittee conducted a formal inquiry into the problem of missing children in America. Dramatic evidence of the extent of this problem and its impact on those involved was received in the form of testimony from parents actually affected by this tragedy. The Subcommittee was impressed by the obvious impact and devastation felt by the family of a missing child.

Additional testimony was received from two separate local law enforcement agencies who have been effectively dealing with the problem. They explained to the Subcommittee the techniques and tools that they employ to locate missing children in their community. Finally, testimony was received from the information director for a nation-wide citizen action group dedicated to the recovery and safe return of missing children. All of the witnesses spoke in dramatic terms of the need for a national clearing-house of information on missing persons and a similar system to track and identify the remains of deceased individuals. Legislation to initiate these programs, authored by Senator Hawkins of Florida, is currently before the Juvenile Justice Subcommittee of the Judiciary Committee.

Additional areas of inquiry

In addition to the subject areas discussed above, Chairman Hawkins and the Subcommittee also initiated specific inquiries into the practices of the Equal Employment Opportunity Commission, the paperwork involved in the education of the handicapped children, and the Food and Drug Administration.

SUBCOMMITTEE ON THE HANDICAPPED

In this, the International Year of Disabled Persons, the Subcommittee's major efforts, led by Subcommittee Chairman Lowell Weicker, have been to assist the Full Committee in shaping those parts of the Omnibus Reconciliation Act which deal with federal discretionary programs serving handicapped people. These programs include the Education for All Handicapped Children Act (PL 94-142) and the Rehabilitation Act of 1973 (PL 93-112, as amended) which constitute the backbone of the federal government's commitment to allow disabled Americans to grow to their maximum functioning potential in our society. The Committee recognized the vital nature of these programs by reauthorizing PL 94-142 through FY 1984, and PL 93-112, as amended through 1983.

In addition to maintaining the categorical nature of these laws, the Committee authorized funding levels slightly above FY 1981 pre-recission levels for FY 1982 and beyond. Thus, while faced with the torturous task of reducing federal expenditures for human service programs in general, the Committee was able to carefully craft a package which assured that the present commitment to the disabled would be at least maintained.

The full Congress has concurred with the Committee's recommendations in these areas.

While the Development Disabilities Assistance and Bill of Rights Act was reauthorized through the Reconciliation Process described above, the Subcommittee conducted a public hearing, and received testimony concerning the value of this law. The Subcommittee favorably reported out S. 1132, which in the absence of the Reconciliation Act, would have been the vehicle to continue the DD program.

The Subcommittee also conducted two days of field hearings in Connecticut on the subject of the proper level of care for retarded citizens. When published, the record of those hearings will provide a most valuable guide for the Congress in making judgments on the mix of services which can best allow retarded citizens to reach their greatest potential for independence.

SUBCOMMITTEE ON AGING, FAMILY AND HUMAN SERVICES

The Subcommittee on Aging, Family and Human Services, chaired by Senator Jeremiah Denton, handles legislation dealing with a broad range of issues, including anti-poverty programs, child and family development, social service and employment, programs for the elderly, and domestic volunteer programs. During the first session of the 97th Congress, the Subcommittee held eleven days of hearings and prepared eight legislative proposals, seven of which were enacted through the vehicle of the 1981 Omnibus Budget Reconciliation Act: Domestic Volunteer Services Act, Child Abuse Prevention and Adoption Opportunities, Community Services block grant, Low-Income Energy Assistance block grant, Adolescent Family Life Act, Head Start Act, and the Native American program. The Subcommittee took the remaining piece of legislation—the Older Americans Act—to the Senate floor where it was passed. During the Reconciliation process, savings of over $500 million in FY 1982 and over $1 billion in FY 1983 were achieved in programs under the jurisdiction of the Subcommittee.

Legislation

Child Abuse Prevention and Treatment and Adoption Reform: As part of the Omnibus Budget Reconciliation Act, the Congress made provisions for child abuse prevention and treatment and adoption reform activities. An amendment offered by Subcommittee Chairman Senator Jeremiah Denton, provided that $7 million be made available for grants to states for child abuse programs, and $12 million be included in a discretionary program for a National Center for Child Abuse and Neglect and Adoption Opportunities, for activities which require a national focus. The Conferees agreed with this proposal, with the further provision that adoption opportunities activities should be funded at a minimum of $2 million from the discretionary fund, and that the Secretary would continue to operate the National Center on Child Abuse.

Community Services Block Grant:

A proposal for a Community Services Block Grant was included in the Omnibus Budget Reconciliation Act of 1981. This block grant authorizes funding for the next five years at $389,375,000 for each year. The legislation provides that each state must submit an application as required by the Secretary of Health and Human Services in order to receive funds. In addition, a discretionary authority for the Secretary of HHS makes provisions for certain activities including special emphasis programs for technical assistance and training programs in rural housing and community facilities development, programs designed to promote economic self-sufficiency, assistance for migrants and seasonal farmworkers, and national or regional programs for low-income youth. The Community Services Administration was terminated by this legislation, and a new Office of Community Services was established in the Department of Health and Human Services.

Native Americans Program:

S. 1088, the Native American Act, was introduced in the Senate on April 30, 1981, by Senator Jeremiah Denton. With some simple modifications to increase tribal participation in the administration of the program, the bill provided for a two-year extension of the existing program. Because this bill proposed a free-standing Native American Program, separate from the Economic Opportunity Act, it was referred to the Select Committee on Indian Affairs. At the request of the Chairman of the Select Committee on Indian Affairs, the Subcommittee on Aging, Family and Human Services included a two-year extension of the current program in the Omnibus Budget Reconciliation Act.

Domestic Volunteer Services Act:

S. 1087, the Domestic Volunteer Services Act Amendments of 1981, was incorporated into P.L. 97-35, the Omnibus Budget Reconciliation Act of 1981. This legislation reauthorized the programs under ACTION, the federal agency for voluntary service, through FY '83. It eliminated the set-aside for the University Year for Action Program, freeing up funds to be used for the National Center for Service Learning and demonstration projects in community service.

Adolescent Family Life Act:

S. 1090, the Adolescent Family Life Act, was incorporated into P.L. 97-35, the Omnibus Budget Reconciliation Act of 1981. The Act authorizes a three-year program of services and research in the area of adolescent sexual activity, including pregnancy. Grants for services would target two adolescent groups. First, pregnant teenagers and their parents could benefit from a wide range of services, such as pre- and post-natal care, infant day-care, parenting skills, vocational education and job training. For this group, adoption would also be presented as a positive option for pregnant girls, along with parenthood. Current federal programs simply do not do enough to encourage counseling and referral to adoption services, particularly for very young teens. Second, through education and outreach, grantees could also help adolescent boys and girls and their parents realize the consequences of premarital sexual activity and encourage those teens to refrain from pre-marital sexual relations. For all services, grantees must involve parents and the community—through religious, charitable and voluntary groups—and in most instances of services to unemancipated minors, parental notification and consent are mandated. Services are targeted to teenagers under the age of seventeen. Finally, the research section focuses on the consequences of premarital adolescent sexual relations, with particular attention to operations research to determine what services or combination of services best work to achieve the objectives of the program.

Low-Income Home Energy Assistance Block Grant:

As passed in the Omnibus Budget Reconciliation Act of 1981, the Low-Income Home Energy Assistance block grant is authorized for the next three years at $1,875,000,000 for each year. For the first time, this program has a multi-year authorization. This will promote stability and consistency, as well as eliminate waste, in a program which has been plagued by annual revisions and uncertainty as to a continued federal commitment. Furthermore, the federal government is prohibited from issuing regulations to instruct the states how to run their respective programs.

States are required to submit an application for funds to the Secretary of Health and Human Services. As part of the application, the state must make certain assurances and include a plan detailing how these assurances would be carried out. However, the Secretary is not authorized to approve or disapprove any state's application.

Head Start Act:

The Congress enacted legislation to reauthorize the Head Start program as part of the Omnibus Budget Reconciliation Act. Head Start has an authorization level of $950,000,000 for fiscal year 1982, $1,007,000,000 for fiscal year 1983, and $1,058,357,000 for fiscal year 1984.

A new formula for the distribution of funds is provided. Thirteen percent of the funds would be placed in a Secretary's reserve with the remaining 87 percent distributed to the States with two-thirds based on the number of children age 0–5, who live with families with incomes below the poverty line, and one-third based on the number of children age 0–18 on whose behalf Aid to Families with Dependent Children (AFDC) benefits are paid. This formula serves two purposes. First, it more adequately targets the children who are intended to be served by the Head Start program. Second, the percentage by which funding to the states is increased under the bill, is more equitable than in current law. Under the new formula, all of the states, except for three (Alaska, Arizona and Mississippi) receive an increase between 10 and 20 percent, which is more comparable to the overall authorization increase, whereas under current law, the majority of states fall either below 10 percent or above 20 percent.

Another notable change is that provisions of the Davis-Bacon Act have been dropped from the Head Start reauthorization. Davis-Bacon is currently part of 77 Federal programs. The Head Start reauthorization is the first of these programs to have Davis-Bacon eliminated from it.

Hearings

Oversight of Head Start:

On March 10, 1981, the Subcommittee on Aging, Family and Human Services held a hearing on the Head Start program. This hearing formed the basis for reauthorization legislation, which was subsequently introduced, and then included in the Omnibus Budget Reconciliation Act.

Legislation to Extend the Older Americans Act:

On March 17, 1981, the Subcommittee held an oversight hearing on the programs authorized by the Older Americans Act—social services, senior centers, congregate and home-delivered meals, community service employment, etc. Witnesses discussed the implementation of the 1978 amendments to the Older Americans Act and issues concerning the 1981 amendments to the Act, which were soon to be introduced.

Low-Income Energy Assistance:

On March 24, 1981, the Subcommittee on Aging, Family and Human Services conducted a hearing on the Low-Income Energy Assistance block grant. Witnesses included the Under Secretary of Health and Human Services, two United States Senators, three Governors, and a representative from the National Council of Senior Citizens. Subsequent to this hearing, legislation to reauthorize this program was introduced and later included in reconciliation.

Oversight of Family Planning, Title X of the Public Health Services Act, Part I:

On March 31, 1981, the Subcommittee, in conjunction with the Full Committee, held the first of a series of hearings on the problem of adolescent sexual activity. The purpose of this hearings was to look at the services portion of the Title X family planning program. Witnesses discussed findings by the General Accounting Office regarding inappropriate and ineffective services provided by certain Title X grantees, the role of the federal government in birth control, and the impact Title X has had on adolescents in terms of increased sexual activity, unwanted pregnancy, illegitimate births, and other social indicators. This hearing provided the basis for legislation authorizing the Adolescent Family Life Act.

Oversight of the Domestic Volunteer Service Act of 1981:

On April 9, 1981, the Subcommittee held an oversight hearing on the programs authorized by the Domestic Volunteer Service Act—VISTA, National Center for Service Learning, Citizen Participation Demonstrations, Foster Grandparent Program, Senior Companion Program, and the Retired Senior Volunteer Program. Witnesses discussed issues concerning the 1981 amendments to the Act, which were soon to be introduced.

Oversight on Community Services Administration, Child Abuse Prevention and Treatment of Adoption Opportunities, and Native Americans Program Act:

On April 23, 1981, the Subcommittee on Aging, Family and Human Services conducted a hearing on the Administration's proposals for the Community Services Administration, the Native American Programs Act, Child Abuse Prevention and Treatment and Adoption Reform, and related issues. Testimony was received from representatives of the Administration, State and local government, GAO, interest groups and various service providers.

This hearing provided the background for development of the Community Services Block Grant, provisions for child abuse prevention and adoption reform, and Native Americans Program, which were later included in the Omnibus Budget Reconciliation Act.

Oversight of Family Planning, Title X of the Public Health Services Act, part II:

On June 23, 1981, the Subcommittee held the second hearing on the problems of adolescent sexual activity. This hearing continued the oversight of the Title X, Family Planning Services Program. Witnesses discussed types of birth control, other than drugs or devices, the history and development of the Title X program, and the plans of the Administration with regard to its future.

Adoption in the United States:

On July 23, 1981, the Subcommittee held the third hearing on the problems of adolescent sexual activity. The purpose of this hearing was threefold: to discuss the ways the government and society can promote adoption as a positive option for unmarried pregnant adolescents; to discuss ways in which minorities can be encouraged to adopt minority children; and to discuss legislative proposals to establish a federal, computerized adoption registry that would help "reunite" adult adoptees and their biological parents.

Fighting Poverty: Private Initiative and Public Assistance:

On August 25, 1981, the Subcommittee held a field hearing to examine federal programs designed to prevent or ameliorate poverty—programs which are recognized as being highly successful, as well as those programs which are recognized as needing improvement. In addition, witnesses discussed the contribution of business and private charitable organizations to solving the problems of unemployment and poverty.

Primary Intervention in Societal Problems: The Role of the Family:

On September 17, 1981, the Subcommittee on Aging, Family and Human Services conducted the second in a series of hearings addressing the problem of poverty and social welfare policy. Witnesses at this hearing discussed research into how public policy influences primary support groups, particularly the family. In addition, some witnesses presented initiatives undertaken by the private sector in addressing the needs of individuals and families in the context of the community. Additional hearings on social welfare are planned for the next session of the 97th Congress.

Oversight Hearing on Title X: Sex Education Curricula Guides:

On September 28, 1981, the Subcommittee held the fourth hearing on the problems of adolescent sexual activity. This hearing focused on material produced under Title X of the Public Health Service Act on family life and sex education. This material was distributed to three mental health professionals, who critiqued it on the basis of educational merit; appropriateness for the designated age groups; psychological implications; and overall quality of both content and design. The witnesses raised questions as to the appropriateness and quality of some of the materials and suggested alternative approaches to provide family life and sex eduction.

SUBCOMMITTEE ON ALCOHOLISM AND DRUG ABUSE

The Subcommittee on Alcoholism and Drug Abuse, chaired by Senator Gordon J. Humphrey, has worked during the 97th Congress to refine the role of the federal government in alcohol and drug abuse research, prevention, and treatment programming.

Comprehensive Alcoholism and Alcohol Abuse Prevention, Treatment and Rehabilitation Act and the Drug Abuse Prevention, Treatment, and Rehabilitation Act.

On March 23, 1981, Senator Humphrey introduced a bill, S. 755, to revise and extend the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act and the Drug Abuse Prevention, Treatment and Rehabilitation Act.

Although the bill extended for one year certain programs under these Acts, it redefined the federal role in alcohol and drug abuse treatment by repealing formula grants to the states and instituting in their place a block grant to the states for the provision of prevention and treatment services.

S. 755 reauthorized the National Institute on Drug Abuse and the National Institute on Alcohol Abuse and Alcoholism to continue with research, demonstration programming, technical assistance to the states, and information dissemination. Research for the National Institute on Alcohol Abuse and Alcoholism was authorized at $25 million and research at the National Institute on Drug Abuse was authorized at $45 million. In addition, each Institute was allotted $15 million to demonstrate new and more effective approaches to prevention and treatment of abuse problems.

Public hearings were held on this legislation on March 25 and 30, 1981, in Washington, D.C. by the Subcommittee. The March 25 hearing focused on the Federal effort in alcohol abuse and alcoholism, with representatives from various national and state alcoholism programs expressing their concerns over the direction of future programming.

On March 30, the Subcommittee's hearing focused on drug abuse prevention, treatment, rehabilitation, and research programs. Testimony was received from various representatives of federal and state programs as well as students and representatives of parents groups working together to curb abuse by youth.

On May 8, 1981, the Subcommittee met in open executive session to consider S. 755. The bill was amended and ordered reported, by voice vote, to the Committee on Labor and Human Resources. On June 24, 1981, the Committee on Labor and Human Resources ordered the bill favorably reported (Senate Report 97-145). The major programs in the bill were ultimately included in the Omnibus Budget Reconciliation Act of 1981 (P.L. 97-35).

The Act authorized the research and demonstration program funding levels of S. 755 and provided for an Alcohol, Drug Abuse, and Mental Health Block Grant for the allotment of prevention and treatment funding to the states.

Alcohol and Drug Abuse Education Act

On April 6, 1981, the Subcommittee held an oversight hearing on the Alcohol and Drug Abuse Education Act. The program authorized by the Act has, in its 10-year history, worked to train local school and community leaders to initiate local programs for alcohol and drug abuse prevention.

The Subcommittee received testimony from the program's director, regional trainers, and individuals who had been trained in the program and who had initiated local prevention programming as a result of their training:

The Alcohol and Drug Abuse Education program was ultimately reauthorized in the Omnibus Budget Reconciliation Act of 1981. Beginning in Fiscal Year 1983, the program will be included in the Education Block Grant. For Fiscal Year 1982, it was placed in the Secretary's discretionary authority section of the Block Grant with its funding protected at not less than the Fiscal Year 1981 level.

Research oversight

On July 27, 1981, the Subcommittee held a hearing in Washington, D.C. to explore the research activities of the National Institute on Alcohol Abuse and Alcoholism and the National Institute on Drug Abuse.

The hearing included representatives from the Institutes as well as researchers in the field who addressed such issues as the most appropriate structure for the Institutes, the efficacy of the grant review process, and the focus of future research efforts.

Marijuana and youth

On October 21, the Subcommittee held a hearing on the Health and Educational Effects of Marijuana and Youth.

At earlier hearings, Dr. Pollin, the Director of the National Institute on Drug Abuse, mentioned that the Annual High School Survey had indicated something of a leveling off of use of marijuana by high school seniors. He indicated that although it was always difficult to assess causes for this behavior, two of the possible factors were the growth of the parents movements and the attention which has been paid to recent research findings which indicate that marijuana is not safe, as had been previously thought.

The Subcommittee, therefore, convened a hearing to discuss the latest research findings on the health and educational hazards of marijuana, in addition to Dr. Pollin, the hearing included research scientists, clinicians, and educators.

Parents movement

In the last couple of years, a grass roots parents movement has taken hold to create a peer group for parents who want their children drug free. The movement has played a major role in changing behavior and is continuing to gain momentum. The Subcommittee has worked to disseminate information to these groups and to help make communities aware of them. In addition, the

Subcommittee has worked with NIDA in trying to keep the most current drug information available to parents and educators.

Alcohol abuse prevention campaign

The Subcommittee has been following the nationwide alcohol abuse prevention campaign sponsored by NIAAA. The campaign, which constitutes a coordinated effort between local government, private organizations, and media, promises to have a significant impact on its target audiences: youth, women, and pregnant women. The Subcommittee looks forward to continued cooperation on this project.

SUBCOMMITTEE ON EDUCATION, ARTS AND HUMANITIES

Led by Subcommittee Chairman Senator Robert Stafford, the Senate Education, Arts and Humanities Subcommittee spent a good deal of the time of its members during the first session of the 97th Congress discussing the proper levels at which to set new authorization caps for the programs within its jurisdiction. Many members of the Subcommittee expressed concern over the funding reductions recommended by the Administration for education, arts and humanities programs. Because of this the overall reduction for education programs set by the Subcommittee, while substantial, was not at the level requested by the Administration.

The members of the Subcommittee recommended an overall funding reduction of 11 percent, and this reduction was ratified by the full Senate. The feeling of many Republican members was that a cut of this nature was the most which our vitally important education programs should sustain.

This funding reduction was not accomplished by lowering authorization caps uniformly, but rather the Subcommittee members reviewed each program on its merits and then set the new spending caps. Level or modestly increased funding was recommended for programs which were considered to be of the highest funding priority, such as Title I of the Elementary and Secondary Education Act. Much larger reductions than those proposed by the President were recommended for those programs which Subcommittee members felt should be low priority in a year when the Congress was substantially reducing federal spending.

Elementary and secondary education

The Subcommittee on Education, Arts and Humanities initiated the most extensive revision of the Elementary and Secondary Education Act since that law was passed in 1965. The product of the Subcommittee's work became the Education Consolidation and Improvement Act. Its effect is the simplification of pages of existing law, the consolidation of numerous programs into a new block grant, and the promotion of genuine reform of education regulation.

For years, state and local educators voiced their complaints about the prescriptiveness of federal education law and the burdens of complying with increasing regulation. Under Senator Stafford's leadership, the Subcommittee simplified much of Title I, compensatory education for disadvantaged children, and combined thirty different programs from ESEA and other laws into block grant giving almost total discretion to states and local school districts on how these funds are to be used.

At the same time it accomplished these reforms, the Subcommittee preserved the essence of federal aid to education: the promotion of equality in and access to education. It is here, in the assistance provided to disadvantaged and handicapped children, that the federal dollar makes the biggest, and the best, difference.

Higher education

The Subcommittee on Education, Arts and Humanities amended the Higher Education Act of 1980 in order to restrain the growth of student financial assistance programs, while at the same time assuring that students from lower and middle income families receive much-needed student aid. Concerned about the substantially increased costs of the Guaranteed Student Loan program since the 1978 passage of the Middle Income Student Assistance Act, the Congress in the budget process passed a new spending target for the Guaranteed Student Loan program which necessitated substantive changes in the authorizing legislation. The members of the Education Subcommittee recommended reestablishing an income threshold for the GSL program, requiring those with incomes above $25,000 to qualify through a needs test before they could receive a loan in the amount of remaining need.

The final decision by the conferees on the Reconciliation Act was to ratify the income suggestion and to raise that income threshold to $30,000. The new GSL program thereby protects the ability of the neediest families to borrow up to $2,500 annually, while simultaneously allowing borrowing, in the amount of need, by higher income families demonstrating financial need.

At the same time, the Subcommittee recommended level funding for the campus-based student assistance programs and a modest increase for the Pell Grant program for Fiscal Years 1983 and 1984. These programs continue to be targeted to the neediest students, and were considered to be a high priority in a difficult budget year.

Arts and humanities

The Subcommittee members reiterated their support for the National Endowments for the Arts and Humanities and the Institute for Museum Services during the first session of the 97th Congress. The members did feel that the Endowments and the Institute needed to improve internal operations and target funding for programs more carefully than in the past, but the Administration's recommendation to reduce funding for the Endowments by 50 percent and eliminate IMS was rejected. The final authorization caps represented a 25 percent reduction in funding for each of these important cultural agencies.

SUBCOMMITTEE ON EMPLOYMENT AND PRODUCTIVITY

The Subcommittee on Employment and Productivity has concentrated its efforts on a complete restructuring of the employment and training programs that were authorized under the CETA legislation. During the reconciliation process, the Subcommittee proposed amendments that eliminated the public service employment program and gave new discretion to the nation's governors for the design of programs within their states.

Based on extensive hearings, the Subcommittee will develop new legislation to replace the CETA system. The Subcommittee Chairman, Senator Dan Quayle, published an extensive statement in the Congressional Record outlining the new approach which is based on the following principles:

The first need for a new program is to strengthen the involvement of the private sector. It may be a hackneyed truth that 85 percent of all jobs are in the private sector—but it is a truth and no program designed to train people for jobs can ever be unmindful of that fact.

Second, the Federal Government is not the repository of all wisdom nor of all good intentions. This is a nation of incredible diversity and no program can be successful that does not fully recognize that diversity by giving to the States a preponderant voice in designing programs to meet their needs as they are perceived locally.

Third, training programs are designed to prepare people for jobs and if that orientation is lost they become a disguised and inefficient form of income maintenance.

Fourth, a system must be result-oriented rather than one in which the Federal Government is concerned with form rather than substance. Outcomes must be measured and nonproductive concern with process and procedure must be avoided.

Last, a system must be devised in which the various parts are integrated rather than a panoply of separate systems that run without proper coordination.

SUBCOMMITTEE ON LABOR

During the first session of the 97th Congress the Senate Labor Subcommittee chaired by Senator Don Nickles held hearings on eight separate issues (list attached) and proceeded to markup bills on three of these issues.

The Subcommittee has also been working closely with the Administration on the development of new regulations in many subject areas. Among them are Davis-Bacon, affirmative action and OSHA.

The principal difficulty encountered by the majority in moving legislation through the Full Committee and onto the floor of the Senate is the absence of a working majority. The minority all too frequently acts to obstruct even the most common sense type of proposal, e.g., Senator Armstrong's bill amending the Walsh-Healey Act, S. 398.

As the result of hearings chaired by Senator Nickles, new regulations were issued implementing needed changes in Davis-Bacon administration. Senator Nickles also advocated a Davis-Bacon reform measure which would increase the present $2,000 threshold amount substantially and codify some of the proposed Administration regulatory changes.

Health

Effective with the 97th Congress, the health and scientific research responsibilities of the Labor and Human Resources Committee became a full committee function. The health agenda of the Committee during the first session has been a particularly full one because over two-thirds of federal programs in this area were due for renewal. The Committee also played a critical role in carrying forward the President's plan to devolve major health responsibility to the states through block grants.

The availability of basic health care to the American people, and the quality of that care, are of major concern of this Committee. Legislation initiated or considered by the Committee has been responsible for many of the developments in the health service and preventive health areas in the past 30 years. Those are the years that have seen Federal health expenditures grow from less than 1 percent to 10 percent of the total Federal budget.

Today, the Nation finds itself obliged to reappraise the policies of the past. Not only has the general economy undergone a serious reversal, but there is deep concern over the degree of control exercised in Washington over both the conduct of local government and the activities of the private sector. Accordingly, four major themes mark the Committee's health work this year: fiscal responsibility, increased state involvement, program assistance to those groups and projects most in need of federal help, and commitment to biomedical research.

The categorical grant programs established during the last thirty years addressed many of the perceived shortcomings of private and State/local government systems of health care, both in regard to underserved population groups and to specific health concerns. Frequently it was argued that these shortcomings could be overcome only by a Federal stimulus. Indeed, many of the grant programs established during these years were justified as providing "seed money." Some of these initiatives have been successful, others have not, but taken together they have resulted in a broader, more accessible mix of health services for a greater number of Americans. At the same time, they have contributed to the expansion of Federal Government and the Federal budget, and to the parallel erosion of responsibility on the State and local levels. The Committee was able to preserve these vital health programs, trim others, and achieve savings through health block grants and other programs at a net savings of $800 million to the Federal Government. This kind of fiscal responsibility, tempered by concern about assuring the continuation of important health programs, marked the committee's work throughout the session.

The Committee believes the block grant is the appropriate vehicle for continuing needed health care assistance and preventive health care activities while at the same time reducing overall expenditures and alleviating the problems engendered by categorical programs. The Committee adopted three health block grants.

1. Health Prevention and Services Block Grant. This grant consolidates eight categorical programs which include: Home health, rodent control, fluoridation, health education/risk reduction, health incentive grants, emergency medical services, rape crisis, and hypertension.

2. Alcohol, Drug Abuse, and Mental Health Block Grant. This grant consolidates: Mental health services, alcohol abuse services, and drug abuse services.

3. Primary Care Block Grant. This grant includes Community Health Centers. For fiscal year 1982, the centers will remain categorical with planning grants given to the states for conversion to state administration.

The block grants are designed to address the problems of inflexibility, lack of coordination, redundancy, and uncertainty with respect to funding that have been experienced in the categorical grant system.

Reappraisal and restructuring of the health programs of the past marked the Committee's activities. However, continuity was achieved with regard to the Committee's past concern for the sick and dependent, and the health care system they rely upon. The mission of programs for community health, medically underserved areas, and alcoholism and drug abuse were essentially preserved albeit with new structure and fewer inflexible requirements. In addition, the Committee held hearings on home health care and preventive health initiatives, both of which promise great benefits in the near future to the health of the American people.

The Committee supported, through legislation, the promotion of biomedical research as a proper and essential function of the Federal Government. During this year, the essential work of biomedical research was continued while we eliminated or consolidated those aspects that unnecessarily perpetuate our Federal bureaucracy or which offer no real hope of improving health care or scientific research in the future.

Health programs have been and will continue to be a primary responsibility of the Labor and Human Resources Committee. In the First Session of the 97th Congress, a proud record of accomplishment has been started. Intense activity in the health area can be expected to continue into the Second Session.

COMMITTEE ON RULES AND ADMINISTRATION

Under the chairmanship of the distinguished Senior Senator from Maryland, Charles Mathias, the Rules Committee's main objective in 1981 was to save money for the Senate, as well as to make the Senate operations more efficient and open.

A major cost-saving activity of the Committee was the 10-percent reduction in authorized committee expenditures for this year. With the active cooperation of other Senate committees, the Rules Committee approved committee budgets for 1981 which were $4,633,297 below authorized committee expenditures for 1980 or a 10-percent reduction.

In addition, the Rules Committee, with the assistance of the General Services Administration, provided for Senate participation in the government discount airfare program. There are now 154 awarded airline citypairs on which Senate travelers can obtain substantial discounts. This will save the Senate many thousands of dollars in travel expenses.

To make the Senate more efficient, the Committee approved increased capacity for the Correspondence Management System

(CMS) to provide more rapid response time to Senate users. The Committee continues to work with the Sergeant at Arms to update and modernize all Senate equipment and facilities.

In an effort to make the Senate more open and accessible, the Rules Committee approved S. Res. 20 sponsored by Senator Howard Baker, which would provide radio and television coverage of Senate proceedings. If enacted by the Senate, the Senate would be available on a daily basis to millions of Americans who would be able to see the Senate in action.

The Committee on Rules and Administration held three days of hearings in 1981 on the Federal Election Commission and the Federal Election Campaign Act of 1971, as amended.

In connection with an Office of Management and Budget Authorization request of $9,746,000 for the Federal Election Commission for fiscal year 1982, the Committee received testimony on April 23 from representatives of the Commission, including its chairman and vice-chairman. The Commission's modified budget request was in the amount of $11,143,285. During the authorization hearing, the Committee also received testimony from a panel of attorneys who commented on Commission enforcement procedures and from political science professors and political consultants who presented their views on the effects on the political process of the Federal Election Campaign Act. The hearing record has been printed.

On April 29th, the Committee met and ordered favorably reported an original bill (S. 1078) to authorize appropriations for the Federal Election Commission in the amount of $9,746,000, the level recommended by the Office of Management and Budget. The report (No. 97-47) to accompany S. 1078 was ordered printed on April 30, 1981 and placed on the Calendar.

On November 20 and November 24, Senator Mathias led continued oversight hearings on the Federal Election Commission, and the committee also received testimony on bills to amend the Federal Election Campaign Act of 1971. The bills introduced at the time of these hearings were S. 1851, a bill introduced by Senator Mathias to change contribution limitations, reduce reporting and recordkeeping details and provide modifications of review, enforcement and other procedures of the Federal Election Commission; S. 1550, a bill introduced by Senator Helms to prohibit the use of compulsory union dues for political purposes; and S. 1766, a bill introduced by Senator Cranston, to amend the Federal Election Campaign Act of 1971 to provide for the waiver of limitations on contributions to candidates in elections in which any candidate spends more than $35,000 from personal funds.

Proposals to amend the Federal Election Campaign Act will be the subject of additional hearings in the second session of Congress.

The Committee on Rules and Administration has supervised the contract under which the Senate has engaged the Campaign Finance Study Group of Harvard to provide an analysis and study of the financing of Presidential Campaigns. The Campaign Finance Study Group will report in January. After receipt and review of the Presidential Campaign Finance Report, the Committee will hold hearings on Presidential Election Laws.

On May 7, 1981, the Committee on Rules and Administration held a one-day hearing on election night media projections and legislation concurred with these projections. House and Senate members testified on the reasons for various proposals introduced providing for changes in the dates and times of holding polling places open and also imposing prohibitions against disclosure of Presidential election results until all polls are closed. (S. 55, S. 56, S. 57, S. 58, introduced by Senators Hayakawa and DeConcini.)

Representatives of four news networks offered their views on the effect of the early night projections of the Presidential results and explained their news coverage techniques.

COMMITTEE ON SMALL BUSINESS

Under the leadership of the Honorable Lowell Weicker, Jr., the Small Business Committee reflected the views of small business in its policy considerations. The primary legislative responsibility of the Senate Small Business Committee is to authorize programs administered by the Small Business Administration. In Chairman Weicker's and the Committee's view, that means something more than just allocating funds or designing programs. It means making sure that SBA is truly serving its constituency of small business men and women across the country.

Under the new Republican leadership, this Committee has embarked this session on a strong course of oversight over the SBA and its programs. Rather than think up new programs for the Agency to administer, the Small Business Committee is looking closely at the old ones, making sure they are fulfilling their mandate and serving those they are designed to serve.

In five comprehensive hearings already this year, this Committee has let it be known that it will demand accountability, that it will search out fraud and abuse where they exist, and that it will not rest until the Small Business Administration is giving its vital small business constituency the kind of effective, efficient representation that it deserves.

Just as important as its oversight function is the Committee's role as an advocate for the small business community.

Whether deliberating over tax policies, regulations, contracting procedures, or innovation of new programs, Chairman Weicker and this Committee have tried at all times to keep in mind the millions of small business men and women across the country and act as their advocate.

For too long, the voice of small business has been lost, both in the Executive Branch and in the Congress. Despite the fact that small businesses are responsible for 43 percent of the Gross National Product, 58 percent of private employment, and 75 percent of all new jobs in this country, they have been rarely considered in the Federal policy making process.

Small businesses right now are facing a definite crisis. High interest rates, inflation, unavailability of credit, impact on us all, but nowhere is their impact greater than on the small business owner. Unless the Federal Government can begin now to address some of the real and pressing problems that every day are dragging more and more small businesses into bankruptcy, there is a real possibility that the competitive nature of our economic systems will fundamentally change. The real loser, unfortunately, will be the American consumer—who will pay more and get less.

In this 97th session of the Congress, the Small Business Committee under the new Republican leadership has attempted to change that, by bringing the small business viewpoint into consideration when policy debates take place. The specifics of this ongoing effort are outlined in the following pages.

COMMITTEE STATUS

One of the first tasks the Committee members set for themselves at the beginning of this year was to change the name and status of the Small Business Committee.

The Senate Small Business Committee was created as a "Select" committee by the 81st Congress to study and survey "by means of research and investigation all problems of American small business enterprises, and to obtain all facts possible in relation thereto which would not only be of public interest, but which would aid the Congress in enacting remedial legislation." At the time the Committee was created, it was not given any legislative authority, but was empowered from time to time to report to the Senate, by bill or otherwise, its recommendations on matters within its jurisdiction.

Unlike most Select committees, the Select Small Business Committee was not given a termination date, and in fact, as time went on, it became more and more established as a force in the Senate. In 1976, the Senate passed Resolution 104, giving the Committee legislative authority over the Small Business Administration.

That action, for all intents and purposes, gave the Committee all the powers and authority of a full, standing Committee. Further recognition of the growing importance of the Committee came in 1978, when the membership, originally set at nine, nearly doubled to 17 to accommodate requests from Senators wishing to be members. Nonetheless, the "select" designation remained. While this designation was in name only, and did not limit the Committee's legislative authority in any way, Committee members felt it implied an impermenance unbefitting a Committee with such a large and vital constituency.

On March 25, 1981 the Senate unanimously approved a resolution sponsored by Majority Leader Howard Baker and Minority Leader Robert Byrd, and the entire membership of the Small Business Committee, striking the 'select' designation and awarding the Small Business Committee full, permanent status.

By adopting this Resolution, said Chairman Weicker, "the Senate has sent a clear signal to the American people that the problems of small business are not to be ignored or forgotten, but that small business and its advocate, the Senate Small Business Committee, are here to stay."

RECONCILIATION

Consistent with the effort to reduce spending in this Congress, the Small Business Committee, through the Reconciliation process, passed cost-saving legislation that reduced the Small Business Administration's program levels by over 40 percent.

The bill that emerged from the House/Senate Conference, and which was adopted by the full Senate, was a carefully drafted piece of legislation designed to reallocate resources, reestablish priorities, and set a new direction for the Agency.

The bulk of the cuts were made in the Direct and Disaster Lending programs, in concordance with the Committee's desire to shift the emphasis of the Agency away from making individual loans, to more productive, non-lending programs. In keeping with this desire, the '503' program, which promotes economic development in urban areas, the Small Business Investment Center program, and the guaranteed lending program, were all preserved.

By refocusing the activities of the SBA in this manner, the Committee believes that dollar for dollar, more jobs will be created, more expansion of healthy businesses will be undertaken, and more help will be directed where it is really needed. Ultimately, the Committee believes these structural changes will make the SBA a stronger, more effective Agency.

A summary of the major legislative changes in SBA programs follows:

On disaster lending:

For all intents and purposes, SBA was removed from farm disaster lending, and the principal responsibility will rest with FmHA.

Homeowners, as well as business, must now comply with a credit-elsewhere test when applying for disaster loans. For homeowners unable to receive credit elsewhere, the interest rate will be set at one-half the government's cost of money, plus up to 1 percent, but not to exceed 8 percent. Homeowners who can get credit elsewhere will pay interest at the full cost of money, plus up to 1 percent.

Previously, disaster loans to homeowners were given at 3 percent interest, with no credit-elsewhere provision.

Businesses able to get credit elsewhere will now pay the prevailing market rate on interest for a maximum term of three years. For businesses not eligible for credit elsewhere, disaster loans will be given at a rate not to exceed 8 percent. Businesses will be eligible for up to 85 percent of uninsured loss.

Previously, interest rates for businesses unable to get credit elsewhere were set at 5 percent. Businesses able to get credit borrowed at an interest rate of government's cost of money, plus up to 1 percent. Businesses were eligible for up to 100 percent of uninsured loss.

The following changes were made in SBA business lending programs:

Interest rates on all direct business loans would be set at the government's cost of money, plus up to 1 percent, except in the case of loans to handicapped individuals or organizations for the handicapped. That rate remains at 3 percent.

A uniform maximum limit of $500,000 per borrower has been established on guaranteed loans. Maximum maturity of loans was set at 25 years, with longer periods set for loans used for construction or to acquire real estate.

A mandatory 90 percent guarantee was imposed for guaranteed loans of $100,000 or less. Guaranteed loans of more than $100,000 up to $715,000 must be guaranteed between 70 percent and 90 percent, and guaranteed loans over $715,000 must receive a guarantee of less than 70 percent.

Authorization levels for fiscal years 1982, 1983 and 1984 were set at the following:

[Dollar amounts in millions]

	1982	1983	1984
Direct loans	230	230	230
Guaranteed loans	3,300	3,300	3,300
Pollution bond guarantees	250	250	250
Surety bond guarantees	1,400	1,400	1,400
Salaries and expenses	227	233	239

The cumulative impact of this cost-saving legislation is to reduce SBA's program levels by over 40 percent from current policy in fiscal year 1982.

SBA OVERSIGHT

At the start of the 97th Congress, Senator Weicker announced that one of his top priorities as Chairman would be continued, aggressive oversight of the Small Business Administration and its programs. As of this date, the Committee has held six days of oversight hearings, all of which pointed up problems and deficiencies in the Agency. It is the Chairman's belief that SBA has a definite, needed role to play for the small business community, but that it can only fulfill that role when mismanagement and abuse are eliminated and it is operating effectively and efficiently. Already, under new Administrator Michael Cardenas, steps have been taken to resolve some of the problems uncovered during the Committee's investigative hearings. It is the Committee's hope that as these hearings continue, working in tandem with the Administrator, we can make the Agency a true advocate for small business.

Thus far the Committee has looked at problems within the SBA's Farm Disaster Loan Program, the Direct Lending Program, the 8(a) Army Pilot Program, and Agency contracting procedures and policies.

SMALL BUSINESS CAPITAL FORMATION

One of the major priorities of the Small Business Committee in this Congress is to help bring about a change in our nation's tax laws in order to create tax equity for small business, and to promote capital investment, productivity and enhanced private sector job creation.

Starting in February with the introduction of S. 360, the Small Business Omnibus Capital Formation Act of 1981, Chairman Weicker and cosponsors sought major improvements in the tax laws to enable small businesses to attract and retain capital. Specifically, the Committee concluded that small business was having difficulties both in attracting long-term capital for new investments in plants and equipment and in retaining capital generated internally.

S. 360 addressed this dual concern by proposing (1) significant new tax credits, rollovers, and other incentives to encourage investors to make long-term equity capital available to small business; and (2) important new tax deductions to permit greater earnings retention. The bill would reduce corporate tax rates, accelerate and simplify depreciation deductions, reduce inventory accounting burdens, and reform estate and gift tax laws.

This bill became the point of departure for Senate consideration of small business tax legislation during the first session of the 97th Congress, as numerous other bills were subsequently introduced in the Senate or the House. Chairman Weicker and Ranking Minority Member Nunn testified in behalf of S. 360 before the Finance Committee as part of the Committee's on-going collaboration with the tax-writing Committee and made some specific recommendations drawn from the bill.

As a result, when the Economic Recovery Tax Act reached the Senate floor, it contained several provisions adapted directly from S. 360, including accelerated depreciation and estate and gift reform. Chairman Weicker offered an amendment to make a modest reduction in the corporate tax rates paid by small business, and this amendment passed by a vote of 92–0.

While the new tax law does contain several provisions to encourage greater capital investment in small business, there is a substantial unfinished S. 360 agenda, particularly with respect to the attraction of long-term capital. In this climate of extraordinarily high interest rates, the Committee believes special measures are required to reopen the capital pipeline to small business. The Chairman has directed the Committee staff to delete the appropriate capital formation provisions from S. 360 and prepare a new bill for introduction early in the next session of this Congress. In this way, attention can be concentrated on the need to create new financing techniques for small business to permit them to participate in the reindustralization of America.

INTEREST RATE

Just as inequitable tax policies have impinged upon the small business owner's ability to continue to do business, so too, have high interest rates. Nowhere has the impact of high interest rates been more fiercely felt than with the small business entrepreneur whose day to day cash flow determines his failure or success.

The Committee held numerous hearings on the impact of high interest rates on smaller business. Testimony has come from labor groups, agricultural representatives, Wall Street economists, and small business men and women in the field.

The Committee will continue to study the question of high interest rates, and to search for answers to what has become the most dire problem now facing the nation's business.

While interest rates have begun recently to moderate somewhat, there is concern that that relief will be too little, too late, or that the curvative will be a very deep recession. The Committee has focused attention on the need to reduce the Federal budget deficit, which is preempting large amounts of available credit and will continue to do so unless sharply reduced. Consideration is being given to specific proposals to brake federal spending growth and to close the accelerating revenue gap caused by the tax cut of this year.

FEDERAL RESERVE BOARD

In connection with the interest rate problem, the Chairman recommended that a person with small business experience be named to fill the next vacancy on the Federal Reserve Board.

The Chairman has been concerned about the Federal Reserve monetary policy, which has been extremely restrictive for most of 1981. Weicker expressed the fear that the interest-sensitive sectors of the economy, including home-building, automobile dealers, and other small business firms, have been bearing too much of the brunt of the Fed's tight credit policy.

Weicker's recommendation was reinforced in October, when the National Advisory Council to the Committee on Small Business passed a unanimous resolution urging the Committee to "take a leadership role in assuring that a small business person is appointed to the vacancy that will be created on the Board of Governors for the Federal Reserve System when Board Vice Chairman, Frederick H. Schultz's term expires on January 31, 1982."

On November 25, Weicker introduced a sense of the Senate resolution advocating that a small business person be named to the Board. Subsequently, on December 8, a Republican alternative to a Byrd amendment, offered by Senators Baker, Jepsen and Weicker, and expressing the sense of the Senate that a person with small business, agricultural or other small business experience be named to the Federal Reserve Board, passed the Senate, by a vote of 90–0.

PROCUREMENT ASSISTANCE

Federal procurement policies are a major concern to the Small Business Committee. The Federal Government is the world's largest purchaser of goods and services; in 1980 alone, the Federal procurement budget exceeded $100 billion. Yet, all too often, small businesses miss out on opportunities to penetrate this vast Federal marketplace. Many small firms simply do not understand how to break through the maze of procurement rules and regulations. Other firms do not know how to market their products to Federal agencies. And other small companies simply avoid the Federal market due to the statutory and regulatory requirements related to Federal contracts.

The Committee on Small Business recognizes that it is in the national interest to encourage small firms to contract with the Federal Government. In fact, the Small Business Act of 1953 states that encouraging free competition and developing the capacity of small business is basic not only to the economic well-being of the country, but also to the security of this nation. Accordingly, this Committee is dedicated to simplifying government contracting procedures for small businesses. To date, Members of the Committee have taken several actions, that, if passed, would encourage small firms to do business with the Federal Government.

DELINQUENT PAYMENTS

On May 6, 1981, Senators Weicker and Danforth co-introduced S. 1131, "The Delinquent Payments Act of 1981." This legislation would require the Federal Government to pay interest on its overdue bills and prohibit Federal agencies from taking early payment discounts long after the discount period has expired.

The Small Business Committee learned first-hand about the Federal Government's tendency to pay its bills late—during its March 9 hearing on the Role of Small Business in the Nation's Economy. Witness Ron Chainey, the owner of a cleaning business in Connecticut told the Committee that his firm had been trying for five months to collect $10,000 for services delivered to the U.S. Navy. Mr. Chainey pointed out that many companies like his are forced to borrow money at outrageous interest rates to cover their obligations while they wait for the Federal Government to pay its bills. He added that the $10,000 owed his firm was accumulating no interest, meeting no payroll, nor covering any of his other operating expenses. In fact, GAO studies show that nearly one-third of the government's bills are paid late.

On May 13, Chairman Weicker testified about the severe economic impact of late payments on the small business community during hearings held by the Governmental Affairs Subcommittee on Federal Expenditures, Research and Rules to consider S. 1131. The Subcommittee also received testimony from several small business trade associations in support of the Delinquent Payments Act, and on December 9, S. 1131 was favorably reported by the Government Affairs Committee. On December 15, it was passed in the Senate.

GOVERNMENT COMPETITION WITH SMALL BUSINESS

The Subcommittee on Advocacy and the Future on Small Business, chaired by Senator S. I. Hayakawa, has taken an active role in examining the extent of government competition with the private sector. Many small business owners believe that the Federal Government should rely on the private sector to supply its commercial goods and services. Further, they maintain that the government should not compete with the private sector by accomplishing these efforts with their own non-profit personnel and facilities. Several leading Small Business organizations and the SBA Advocacy Task Group on Government Competition have called on Congress to legislate such a problem.

On June 22, Senator Hayakawa introduced S.J. Res. 93, a resolution that reaffirms a long-standing executive policy (OMB Circular A-76) of reliance on the private sector for supply of the commercial and industrial goods and services needed by the Federal Government. In his floor statement on S.J. Res. 93, Senator Hayakawa pointed out that his proposal does not reflect a shift in government policy; rather, it is a clarification of an existing policy that has been subject to varied interpretations and shifts in emphasis over the years.

To date, the Subcommittee on Advocacy and the Future of Small Business has held three hearings on the issue of government competition with small business. At its June 24 hearing, the Subcommittee heard from several small business owners about their personal experiences with Federal competition in their industries. The hearing also focused on the SBA Office of Advocacy Task Force report entitled "Government Competition: A Threat to Small Business." The Subcommittee also received testimony about the extent of the competition problem from the GAO and the Office of Management and Budget.

On August 27, 1981, the Subcommittee held a field hearing in Los Angeles, California and again heard from a number of small business persons who had had negative experiences with government competition. The most recent hearing was held by the Subcommittee on November 4, 1981. During the hearing, the Subcommittee received testimony from the Department of Defense, the General Services Administration, GAO and small business representatives. Senator Hayakawa also read a recent letter from David Stockman expressing the Administration's total support for S.J. Res. 93. The Resolution is currently pending in the Government Affairs Subcommittee on Federal Expenditures, Research, and Rules.

INNOVATION

On April 7, Senator Rudman and Weicker introduced S. 881, the Small Business Innovation Research Act. (The reasons for introducing the bill were simple.)

Over the past decade the rate of productivity increase in the United States has been well below that of all leading industrial nations, most notably Japan and Germany. While this relative decline in American productivity stems from many factors, one of the chief causes is certainly the slowdown in American innovation.

As other nations have been accelerating their research efforts, our Federal investment in research and development (R.&D.), in constant dollars, has remained virtually unchanged for the past decade.

Numerous studies have shown that small businesses are our Nation's most efficient and fertile source of innovations. Yet only 3.5 to 4 percent of the Federal R.&D. dollar is spent with small firms. This underutilization of small businesses in Federal R.&D. is especially regrettable when considering the highly successful track record of small firms in generating jobs, tax revenues, and other economic and societal benefits.

On September 22, the Committee ordered the bill favorably reported on a roll call vote of 16–0.

In an October 6 letter to Senator Rudman, President Reagan expressed his support for the legislation. "Your concerns that small firms be able to participate equitably in Federal Research and Development is shared by the Administration," the President wrote. "In the long run, all sectors of the economy are likely to benefit from the increased competition and research incentives your legislation would provide. I congratulate you on the leadership you have shown in advancing the interests of those small businesses which are the job-producing lifeblood of our economy."

The Committee is happy to note that S. 881, sponsored by Senator Rudman, passed the Senate with only minor amendment on December 8, 1981, by a roll call vote of 90 to 0.

FINANCING SMALL BUSINESS IN URBAN AREAS

The Committee has paid special attention to the promotion of local economic development through small business incentives. It has become clear that the cultivation of a healthy small business community is central to neighborhood economic development and private sector job creation. In this vein, the Committee has looked at ways to foster small business, including tax and other locational incentives.

The Committee has become deeply involved in the issue of tax-exempt, Industrial Development Bonds (IDBs), principally because these are an important instrument of reasonable-cost financing for small and medium-sized businesses. In most cases, the tax-exempt status accorded small-issue IDBs is responsible for attracting small business participation in major economic development strategies.

The Chairman spearheaded the effort to suspend the implementation of IRS Ruling 81-216, which prohibits the pooling of small-issue IDBs, arguing that the ruling is punitive for small business and that it comes at the worst possible time—with record-high interest rates and the curtailment of many federal aid programs for economic development. Senator D'Amato's subcommittee hearing on IDB's produced valuable testimony supporting a continuation of the pooling of IDB's and a rejection of the IRS ruling.

In addition, Senator D'Amato successfully introduced and passed a last minute amendment to the Continuing Resolution, which served the IDB program for small business.

The Committee also intends to initiate an examination of the concept of broad-scale tax abatement for businesses located in distressed area "enterprise zones." While there has been a recognition of the importance of Federal/local tax incentives in promoting the location and expansion of small business in distressed areas, the Chairman is concerned that such tax relief, by itself, may be of only marginal utility. Location and expansion decisions are influenced by a host of important considerations, of which tax abatement is only one. To be sure, tax reduction may be a necessary consideration in investment decisions, particularly in some distressed areas, but it may not be a decisive factor.

The Chairman has decided to accord a top priority to examining the factors influencing small business expansion and location decisions in enterprise zones. Senator Weicker intends to study the factors in terms of their relative importance for small business investment and to be able to make recommendations as to the provision of appropriate incentives and the removal of any disincentives.

CONCLUSION

Small business encompasses just about all parts of human life. Owners of small business are mothers, fathers, grandmothers, sons and daughters. For some, a small business is their whole life and they spend their whole life making it better. For others, it is a part-time effort, a weekend occupation or a retirement activity. But all small business owners have one thing in common: an independent spirit; a desire to build something on their own that they can call their own. Small Business owners do not want a hand-out or a bail-out by the Federal Government. What they do want are Federal policies that give them room to breathe, freedom from unrealistic regulations, and tax and procurement policies that make it possible for them to compete on an equal basis with large firms.

The Small Business Committee does not envision its role as one of making more policy, creating more programs and designating more regulations for small business. Rather, it is to examine the problems affecting small business and to bring them to light, so that more than just the small business community is aware of them. The fact is that when small business is hurting, we all are hurting, and the sooner Congress realizes that, the better.

As the small business advocate in the Senate, the Committee plans to look at all areas that impact on small business and affect their chances for success.

Where the Committee can, it will bring the problems of small business owners, and the solution they need to the attention of the Congress and the nation. This is our role, and it is this that we will concentrate on in the coming months.

COMMITTEE ON VETERANS' AFFAIRS

The Committee on Veterans' Affairs, under the able Chairmanship of Alan K. Simpson, has sought this year to structure a legislative program that will be responsive to the needs of the Nation's veterans, especially those suffering service-connected disabilities. For example P.L. 97–66 which the Committee reported favorably increases compensation benefits for service-connected disabled veterans by varying rates with 100 percent disabled veterans and survivors of veterans who died from serice-connected causes receiving an 11.2 percent increase.

Chairman Simpson and the Committee have sought at the same time to be responsive to the realities of President Reagan's economic program. In these times of constrained resources, for example, the Committee has attempted to limit the granting of new entitlements. The question of eligibility for those entitlements already on the books will be addressed in the future.

The Committee has faced squarely the most difficult issues within its jurisdiction. The exposure of Vietnam-era veterans to Agent Orange in southeast Asia is one of the most complex and emotion-fraught of these problems. The Senate Committee reported bills which led to the Veterans' Health Care, Training and Small Business Loan Act of 1981 (P.L. 97–72). This law provides eligibility for the provision of basic health-care services by the VA for a veteran's disability if it is found that the veteran, during active duty, may have been exposed in Vietnam to any toxic substance in a herbicide or defoliant. As the first Vietnam veteran elected to the U.S. Senate, Senator Pressler introduced an amendment to S 921 on June 15, 1981 which would require the Veterans' Administration to study and report on any genetic and psychological effects suffered by veterans who were exposed to Agent Orange, the defoliant widely used in Vietnam. As enacted, this legislation authorizes the Administrator of the VA to expand the scope of a VA Agent Orange epidemiological study to include additional factors such as exposure to other herbicides, chemicals, medications, or environmental hazards or conditions.

Chairman Simpson took leadership in getting this and other legislation enacted which contains provisions to provide benefits specifically for Vietnam veterans with special needs:

The Vietnam-era veterans readjustment counseling centers were extended for three years (through September 30, 1984).

The period of eligibility of a Vietnam-era veteran whose GI bill eligibility would otherwise have expired, has been extended through December 31, 1983 for the pursuit of a program of apprenticeship, on-the-job training, or a program of secondary education if the veteran has entitlement remaining and the VA Administrator determines that the veteran is in need of such programs in order to achieve a suitable occupational or vocational objective.

A Veterans Business Loan Program is to be authorized in the VA for veterans rated 30 percent or more disabled due to service-connected disabilities and for all Vietnam-era veterans. Veterans are eligible for either a direct or guaranteed loan up to $200,000.

The veterans' readjustment appointments program, through which the Federal Government may hire, on a noncompetitive basis, disabled and disadvantaged Vietnam-era veterans who have completed up to 14 years of education, has been extended for 3 years (through September 30, 1984).

The increasing health needs of the World War II veteran population whose average age is now 62, also command the Committee's special attention. Assuring necessary health care for aging veterans—especially when care for older Americans is among the most expensive in the health field—is a challenge the Committee intends fully to meet. It is a greater challenge, however, in this era of fiscal constraint. As an example, P.L. 97-72 provides authority for the VA to recover costs of health care provided to veterans from certain other parties if the veterans would have been eligible for such other benefits. Reimbursement to the VA would come through workers compensation, "no fault" motor vehicle insurance provisions, and "victims of crimes" provisions of State law. This can provide the same health services to veterans but with cost savings. The Committee is studying through hearings and other ways, additional possible ways to cut costs without cutting essential services.

The Former Prisoner of War Benefits Act of 1981 (P.L. 97-31) was signed into law in August 1981. This legislation provided for a much-needed expansion of health-care and disability compensation benefits to all former prisoners of war who were interned for more than 30 days. Ten versions of a "GI bill" to provide educational benefits to veterans have been introduced and are now before the Committee. These derive from different philosophies and would accomplish different goals. The Committee will address these bills early next year. If enacted, the new GI bill would provide a new entitlement.

SENATE SPECIAL COMMITTEE ON AGING

The Senate Special Committee on Aging chaired by Senator John Heinz, was established in 1961. A non-legislative Committee, it is charged with the responsibility of engaging in the continuing study, oversight and investigation of "any and all matters pertaining to the problems and opportunities of older people. . ." Committee activities include conducting hearings, submitting recommendations for legislation to the Senate and publishing information materials.

This year there has been an extraordinary and rapid movement to restrict the growth of the Federal budget. Older Americans have a large stake in the effort to control inflation and in the size and scope of federal domestic programs, since spending for these programs which serve the elderly totals approximately one-third of all federal expenditures. Much of the Special Committee's time this year was devoted to analyzing the effects on the elderly of proposals offered by the Administration and the Senate to achieve this goal.

In March and April the Committee held three hearings focusing on the impact of the Administration's income security, health, and social services proposals. During the following months, 8 additional oversight hearings were held on energy and the aged, the Older Americans Act, Medicare reimbursement issues, and various policy issues with respect to the social security system. As a result of information gathered during these hearings and additional analysis, the Committee was able to make recommendations to other standing Committee as well as the entire Senate on pending legislative measures. Recommendations ultimately accepted by the Senate to assure the well-being of the elderly include:

Maintenance of the minimum benefit for social security recipients now receiving that benefit.

Adoption of S. Res. 87 reaffirming the Senate's long standing policy that social security benefits should not be taxed and that the 97th Congress will not enact legislation to subject these benefits to Federal taxation.

Inclusion of $10 million for the congregate housing services program in the HUD and Independent Agencies Appropriations bill passed by the Senate.

Amendments to the Older Americans Act maintaining funding levels for senior centers and nutrition programs, expanding State flexibility to spend federal dollars, increasing emphasis on employment opportunities and permitting the use of federal funds for crime prevention and victimization assistance programs. Senator Jeremiah Denton was especially prominent in his support of this measure.

Chairman Heinz and the Committee also held two investigative hearings on crime and fraud against the elderly as well as general oversight hearings on rural access to aging programs and employment opportunities for senior citizens.

A special effort was made by the Committee this year to develop a number of timely resource publications for elderly individuals, practitioners in the field of aging, policymakers, and others concerned with the quality of life for the aged. Excluding Committee hearings, a total of 8 documents were published as follows:

An Information Paper on the Proposed Fiscal Year 1982 Budget.

Developments in Aging: 1980.

Energy and the Aged.

An Information Paper on the Omnibus Budget Reconciliation Act of 1981.

1981 Federal Income Tax Legislation: How it Affects Older Americans and Those Planning for Retirement.

Crime and the Elderly—What You Can Do.

Toward a National Older Worker Policy.

Social Security in Europe: The Impact of an Aging Population.

SELECT COMMITTEE ON INDIAN AFFAIRS

Chairman William S. Cohen, the distinguished Senator from Maine, heads the Select Committee on Indian Affairs. The Committee has made remarkable progress this session in a number of vital areas.

The Select Committee on Indian Affairs was established by the Senate in 1977 and given the broad mandate to investigate "any and all matters pertaining to problems and opportunities of Indians . . ." In discharging its responsibilities, the Select Committee is ever mindful that Article I, Section 8, Clause 3 of the United States Constitution, which authorizes Congress to regulate commerce with the Indian tribes, places primary authority over Indian affairs in Congress. This primacy of responsibility has been consistently upheld by the Supreme Court of the United States which has described Congressional power in the field as "plenary."

In assuming its role in the fulfillment of Congress' constitutional duties in the field of Indian affairs, the Select Committee acts not only for the benefit of Native Americans but with responsibility to all Americans whose lives are touched by Federal Indian policy. It serves, in short, as a forum where diverse views on Indians affairs may be aired and given weight and where accommodations may be wrought.

In considering the disparate issues that have come before it in the First Session of the 97th Congress, Chairman Cohen and the Committee have given particular attention to the difficult problem of lessening the dependency of Indian tribes on Federal financial and professional assistance without diluting the trust relationship between them and the United States. This is a problem of longstanding in Indian affairs and it can be resolved only through an appreciation of the practical and legal disabilities that have to this day prevented the development of strong on-reservation economies.

The Select Committee on Indian Affairs began the 97th Congress by voluntarily reducing its budget by 10 percent. This cut was sustained even though the membership of the Committee had increased by 40 percent and it prompted a significant reduction in Committee staff. Nevertheless, the Committee has handled the issues that have confronted it and handled them well.

Since the beginning of the year, 20 bills have been referred to the Indian Affairs Committee. The Committee has held 15 hearings, four of which were in the field, and three bills it has reported have passed the Senate. One has become a public law.

Pursuant to its mandate to ". . . conduct a study of any and all matters pertaining to problems and opportunities of Indians . . .", the Indian Affairs Committee undertook a comprehensive review of federal budget for Indian programs. This inquiry began with a hearing on March 23 and culminated in a report entitled, "An Analysis of the Budget Pertaining to Indian Affairs: Fiscal Year 1981." The compilation of data for this report required an intense and sustained effort from the Committee because many programs for the benefit of Indians are found in programs available to the general populace. Such programs are not within the direct jurisdiction of this Committee and, in some instances, had been strictly scrutinized by it. The Committee anticipates that, because of its breadth and depth, this report will become the model for all future budget analyses of federal Indian programs.

In its budget analysis, the Committee addressed an apparent oversight in the recommended elimination of Titles II-D and VI of the Comprehensive Employment and Training Act (CETA). The elimination of funding for these two titles was recommended without reference to the effect it would have on the General Assistance line item in the budget of the Bureau of Indian Affairs (BIA). The Department of the Interior informed the Committee that this oversight would force it to return to Congress for a supplemental appropriation.

To meet this problem, the Indian Affairs Committee approved an amendment to S. 1088, the Native American Programs Act, that added a new section to the bill. This new section would have established a program that recognized the need for tribal government support. The funding for the new section was set only after commitments had been received from the Chairmen of the Appropriations and Budget Committees, the distinguished Senators Mark Hatfield and Peter Domenici, that it would not violate the Administration's ceiling on that budget function.

The provisions of the additional section to S. 1088 were precedent making. Although the existence of a functioning tribal government has been described by the current Assistant Secretary of the Interior for Indian Affairs as essential to the development of strong reservation economies, the BIA has no program specifically tailored for this purpose and never has. Moreover, the new section was drafted in full awareness of the legal and practical impediments that have prevented the attraction of private capital onto Indian reservations and inhibited their development.

Finally, the section set forth criteria for the distribution of federal assistance that would have required the United States to take cognizance of the relative wealth of the tribe, its population, its location, the minimum needs of the tribe with respect to governance and administration, and so forth. The formulation of these criteria was intended to ensure greater equity in the distribution of federal services. At present, government assistance to tribes is offered without reference to such criteria with the result that the wealthier, more sophisticated tribes tend to receive a disproportionately greater share of the services.

The immediate need for the section which the Committee added to S. 1088 was obviated when a second approach, the redirection of unspent, carryover funds from the CETA program to Indian tribes, was adopted by the Appropriations Committee. Nevertheless, innovations contained in the new section are not promising and merit the Committee's most serious consideration for upcoming fiscal years in the Second Session of this Congress.

The Indian Affairs Committee under Mr. Cohen's chairmanship, also spent a great deal of time during the current session on investigating the practices used by the U.S. Geological Survey for monitoring oil and gas production on Indian reservations. This investigation followed reports of large scale thefts of oil from the Wind River Reservation in Wyoming. The Committee viewed these allegations with the utmost gravity because they concerned wasting assets of Indian tribes and individual Indian allotees. These assets, for many tribes, offer the best and most immediate hope to lessen their financial dependence on the federal government and to take greater control of their destinies. Once stolen, these assets and the opportunity they offer cannot be replaced.

To date, the Indian Affairs Committee has held four hearings on the thefts. These hearings revealed that the problem was present on all oil and gas producing reservations and, in fact, extended to the public lands of the United States. The problem is of such magnitude that the Chairman of the Committee, Mr. Cohen, recommended that Secretary of the Interior, James Watt, establish a Commission to examine it. Secretary Watt agreed and established the Commission on Fiscal Accountability of the Nation's Energy Resources. A final report from this Commission is expected in February of next year. In the meantime, the Indian Affairs Committee has continued its investigation. The Committee will ultimately issue a final report on the matter with recommendations for a larger tribal role in the protection of on-reservation resources.

ACCOMPLISHMENTS OF THE SENATE SELECT COMMITTEE ON INTELLIGENCE, 97TH CONGRESS

The Senate Select Committee on Intelligence, under the distinguished leadership of Chairman Barry Goldwater, holds a unique position among current Senate committees. Although a "select" committee, it holds authority that normally resides only with standing committees, such as reporting legislation, authorizations, and nominations affecting the U.S. intelligence community to the floor of the Senate. Moreover, the Select Committee has an express statutory oversight mandate through the Intelligence Authorization Act for Fiscal Year 1981 (P.L. 96-450), providing that it and its House counterpart be kept "fully and currently informed of all intelligence activities . . . including any significant anticipated intelligence activity. . . ." Because of the sensitive and frequently classified nature of its work, the Select Committee has adopted detailed rules of procedure to prevent the unauthorized release of information. Those rules were most recently amended on February 27, 1981, for the first time in nearly four years. Finally, the Select Committee's membership—which is composed, in part, of two Senators (representing both political parties) from each of four other standing committees (Appropriations, Armed Services, Foreign Relations, and Judiciary)—reflects a jurisdiction that crosses that of other committees and has a clear bipartisan character. With regard to the latter point, Senators Baker and Byrd as the Senate Majority and Minority Leaders are ex officio members of the Select Committee, while its minority party members are designated as

Vice Chairmen of the full Committee (a position Senator Goldwater held in the 96th Congress and which Senator Moynihan occupies presently) and of its four subcommittees.

During the first session of the 97th Congress, the Senate Select Committee on intelligence has engaged in numerous activities and hearings related to nominations, proposed legislation and authorizations, and oversight of the U.S. intelligence community. Immediate attention was focused on President Reagan's nominations of William J. Casey as Director of Central Intelligence and Admiral B. R. Inman as the Deputy Director, both of which were overwhelming approved by the Senate.

Subsequent press revelations questioned some of Director Casey's personal business activities and raised concerns about his appointments of Max Hugel, first as a special assistant to the DCI and later as Deputy Director for Operations, following Hugel's resignation under allegations of financial irregularities. The Select Committee initiated an intensive examination of Mr. Casey's private business dealings, his activities while in previous government service and while the beneficiary of a blind trust, his financial disclosure forms filed with the Office of Government Ethics and with the Select Committee on Intelligence, and his appointments involving Mr. Hugel. Requesting and receiving additional funds for the investigation, the Select Committee appointed a Special Counsel to take charge, following its preliminary inquiry. From July 29 through October 31, 1981, thirteen staff members, including the Minority Staff Director and Minority Counsel to the Select Committee, worked on the investigation with the Special Counsel. In its report on the matter, the Select Committee concurred with DCI Casey's admission that his appointment of Max Hugel was a "mistake" for which he took "full responsibility," but determined that "no basis has been found for concluding that Mr. Casey is unfit to hold office as Director of Central Intelligence."

One of the most important regular duties of the Senate Select Committee on Intelligence is the annual authorization of appropriations for U.S. intelligence activities, a responsibility with which it shares sequential jurisdiction with the Senate Committees on Armed Services, Judiciary, and Governmental Affairs. Fiscal Year 1982 authorizations (P.L. 97-89) were no exception. In recommending passage of the conference committee report, Intelligence Budget Subcommittee Chairman Malcolm Wallop emphasized that the FY 82 authorization "continues the committee's goal of revitalizing our intelligence capabilities . . . and [we] have taken the initiative to insure new capabilities are available to deal with emerging problems. . . ." However, two significant proposals that had been incorporated in the Senate version were deleted in conference. Senator Wallop noted that these matters—regarding assaults on intelligence agents and strengthened civilian personnel management within the Defense Intelligence Agency—would be considered later in separate legislation.

No other bills were reported by the Select Committee during the 97th Congress, but hearings were held on proposals to amend the Central Intelligence Agency Act of 1949 (S. 1273). And in compliance with the Congressional Budget Act of 1974, the Select Committee approved S. Res. 128, with respect to consideration of authorizing supplemental appropriations for FY 1981; after referral to the Budget Committee, the resolution passed the Senate on July 16, 1981.

Much of the oversight work of the Committee is classified and occurs in executive session. Notices of briefings from intelligence community officials, of hearings on particular developments, and of staff inquiries and investigations, may appear in the public record but details are either sketchy, unauthoritative, or nonexistent. However, the requirements of the 1980 authorization act (P.L. 96-450), noted above, demand executive compliance in keeping the Committee "fully and currently informed," thereby giving it the opportunity to conduct extensive oversight.

Other important matters affecting the intelligence community to which the Select Committee contributed were President Reagan's Executive Orders 12333, on U.S. Intelligence Activities, and 12334, on the Intelligence Oversight Board. Although such Orders are issued exclusively by the President and require no congressional concurrence, these were promulgated only "after detailed consultation with the Select Committee on Intelligence," according to Senator Schmitt, Chairman of the Intelligence Subcommittee on Legislation and Rights of Americans that reviewed the draft order. He elaborated on the consultative process as it applied here, noting that DCI Casey had committed himself to prior consultation during his confirmation hearings, and that on Sept. 23, 1981, the Administration forwarded copies of its proposed Executive Orders to the Select Committee. The recorded meetings and written correspondence between the committee and the intelligence agencies on the Executive Orders, according to Senator Schmitt, "has provided the committee and the Congress with a history of the intent of the provisions . . . [which] will assist the committee in discharging its oversight duties . . . [and] expects to be consulted on the procedures that will implement the order."

JOINT ECONOMIC COMMITTEE

The Joint Economic Committee, along with the President's Council of Economic Advisers, was established by the Employment Act of 1946. Just as the Council of Economic Advisers is the economic counseling body to the President, the Joint Economic Committee is the advisory economic arm of Congress, advising on a broad spectrum of issues. It's many functions include a statutory responsibility to make an annual report to the Congress on the president's economic program.

The Joint Economic Committee under the chairmanship of Henry Reuss and vice-chairmanship of Senator Roger Jepsen has faced a unique challenge and opportunity in the 97th Congress because of the equal representation of both political parties on the Committee. The Committee has responded favorably to this situation; meaningful and productive cooperation between the Democratic Chairman, Mr. Reuss and the Republican Vice Chairman Mr. Jepsen and between Democratic and Republican members generally has been the rule. For example, Senator Jepsen and Representative Reuss reorganized three subcommittees and now have three subcommittees chaired by Republicans and three subcommittees chaired by Democrats. They have produced two bipartisan, consensus reports. The Joint Committee has also held field hearings in six states under Chairmen from both parties to give citizens a better opportunity to contribute to economic debate.

In addition, the Joint Committee has conducted 75 hearings on Capitol Hill involving 227 witnesses.

Productivity was the subject of the unanimous Committee Midyear Report. The recommendations of the committee included (1) liberalized depreciation rates, (2) new incentives for research and development, (3) expansion of the Targeted Jobs Tax Credit, (4) measures to increase savings, (5) measures to lower interest rates, (6) increased investment in infrastructure, (7) cutbacks in regulations and paperwork, and (8) improved productivity in government. A second bipartisan, consensus report was issued in the autumn, recommending development of an American high-speed passenger rail system. Future cooperative efforts are being planned.

Cooperation between the Democratic and Republican professional staffs, now equal in number, has produced numerous bipartisan hearing panels. At the Joint Committee recent hearing on trucking deregulation, for example, witnesses included a Republic ICC commissioner and economist and a Democratic ICC commissioner and economist, as well as ICC Chairman Reese Taylor.

Hearings, committee reports and staff studies have contributed to a better understanding and provision of more useful information on many varied economic topics. These include:

The reliability of economic statistics and efforts to improve statistical data.

Productivity practices of American Management.

Monetary growth targets by the Federal Reserve Board.

U.S.-Japan trade relations.

Industrial, energy, and income policies.

Supply bottlenecks in military procurement.

Skilled labor shortages.

The effect of interest rate movements on the economy.

The consequences of the Administration's economic program.

Lessons to be learned from monetary and credit policies in European countries.

The role of small business in economic development.

The fiscal condition of American cities.

Economic conditions in Eastern Europe and the Soviet Union.

The relationship between marginal tax rates, savings, and deficits.

State and local development strategies.

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AGRICULTURE

ENACTED OR PASSED BOTH HOUSES

S. 509, amends the Agricultural Act of 1949 to eliminate the semiannual price support adjustment for milk

Sponsored by Mr. Helms, was reported by the Senate Committee on Agriculture, Nutrition, and Forestry, and cosponsored by Mr. Hayakawa.

The Senate agreed to the following amendments:

S. Amdt. No. 9, to remove the Soviet grain embargo unless the President takes certain action, sponsored by Mr. Zorinsky joined by Mr. Melcher, Mr. Andrews, Mr. Boren, Mr. Exon, Mr. Pressler, Mr. Burdick, Mr. Baucus, and Mr. Riegle.

S. Amdt. No. 13, to embargo imports of agricultural commodities from the Soviet Union under certain conditions, sponsored by Mr. Boren.

S. Up. Amdt. No. 17, to express the sense of the Senate regarding the Soviet grain embargo, sponsored by Mr. Jepsen joined by Mr. Dole, and Mr. Mattingly.

S. Up. Amdt. No. 18, to express the sense of the Senate regarding the importation of agricultural commodities from the Soviet Union, sponsored by Mr. Baker.

Signed by the President on March 31, 1981 and became Public Law No. 97-6.

S. 730, amends the Federal Crop Insurance Act of 1980 to authorize the Federal Crop Insurance Corporation to use up to $14,000,000 in funds otherwise available for the payment of indemnities to cover fiscal year 1981 operating and administrative costs

Sponsored by Mr. Huddleston, was reported by the Senate Committee on Agriculture, Nutrition, and Forestry, and cosponsored by Mr. Helms, and Mr. Cochran.

The Senate agreed to the following amendment:

S. Up. Amdt. No. 66, to establish a limit on the amount of funds, otherwise available for the payment of Federal Crop Insurance Corporation indemnities, that may be used to pay administrative and operating expenses, sponsored by Mr. Domenici.

Signed by the President on May 22, 1981 and became Public Law No. 97-11.

S. 884, Agriculture and Food Act of 1981

AGRICULTURE AND FOOD ACT OF 1981

Title I: Dairy.—Amends the Agricultural Adjustment Act of 1933, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, to make dairy base plan authority permanent (current authority expires at the end of 1981).

Amends the Agricultural Act of 1949 to extend through 1985: (1) semiannual milk support adjustments; (2) the program of price-supported dairy products for the military and veterans' hospitals; and (3) the dairy indemnity program.

Title II: Wool and Mohair.—Amends the National Wool Act of 1954 to extend the wool and mohair price support program through 1985.

Title III: Wheat.—Amends the Agricultural Act of 1949 to provide for loans and purchases of the 1982–1985 wheat crops at the higher of $3.20 per bushel or 85 percent of the average U.S. price over a given period in order to maintain the competitive price of wheat to other grains. Extends current authority through 1985 for land division payments to wheat producer.

Exempts the 1982–1985 wheat crops from: (1) marketing quotas and produces certificate provisions; (2) quota provisions; and (3) current support price levels. Extends the Commodity Credit Corporation sales price restrictions for wheat and feed grains through 1985. Extends the nonapplicability of processor and exporter certificate requirements to wheat processors and exporters through May 31, 1986.

Title IV: Feed Grains.—Provides for loans and purchases of the: (1) 1982 corn crop at not less than $2.40 per bushel or 75 percent of the average U.S. corn price over a given period; and (2) 1983–1985 corn crops at between 65–85 percent of such price (with a minimum of $2.40 per bushel). Provides for loans and purchases of the 1982–1985 crops of barley, oats, grain sorghums, and rye at levels determined by the Secretary of Agriculture. Extends current authority through 1985 for: (1) land diversion payments to feed grain producers; (2) the unapplicability of certain price support provisions to such producers.

Title V: Upland Cotton.—Extends for the 1982–1985 upland cotton crops: (1) marketing quota and acreage allotment suspensions; (2) loan levels, with a provision that upland cotton imported into the United States while a special quota is in effect shall not be subject to import duties; (3) Commodity Credit Corporation sales price restrictions; (4) skiprow practices; (5) exemptions from cotton-soybean equivalency requirements; and (6) land diversion program. States that the permanent State, county and farm base acreage allotments for the 1977 upland cotton crop shall be the preliminary allotments for the 1986 crop.

Title VI: Rice.—Provides for loans and purchases of the: (1) 1982 rice crop at 75 percent of the average U.S. rice crop over a given period; and (2) 1983–1985 rice crops at between 65–85 percent of such price. States that the level for the 1982–1985 crops shall not be less than $8.01 per hundredweight. Extends the land diversion program.

Suspends provisions relating to allotments, marketing quotas, and acreage apportionment for the 1982–1985 rice crops.

Title VII: Peanuts.—Exempts the 1982–1985 peanut crops from annual marketing quota and State acreage allotment requirements. Provides that the 1982–1985 New Mexico peanut allotments shall not be reduced below the adjusted 1977 level.

Extends for the 1982-1985 peanut crops provisions relating to the national acreage allotment, national poundage quota, and farm poundage quota. Modifies such provisions to: (1) set a minimum national acreage allotment of 1,614,000 acres; (2) set a minimum national poundage quota of 1,440,000 tons increased as necessary by the Secretary of Agriculture; and (3) require and set forth formulae for determining individual farm yields, base production poundage, and poundage quotas. States that if the total of all increases in individual farm poundage quotas exceeds ten percent of the national poundage quota the Secretary shall adjust such increases in order not to exceed such national poundage quota.

Extends provisions relating to sale, lease, and transfer of acreage allotments for the 1982-1985 peanut crops. Permits acreage allotments and marketing quotas to be transferred without regard to county boundaries in a State having a peanut acreage allotment of not more than 11,000 acres.

Extends for provisions relating to marketing penalties and the disposition of additional peanuts for 1982-1985 crops. Modifies such provisions to: (1) direct the Secretary to authorize specified county committees to reduce or waive penalties for unintentional violations; (2) provide that weight errors not exceeding one-tenth of one percent in the case of any marketing document shall not be considered violations except in cases of fraud or conspiracy; (3) permit the Secretary to exempt certain seed peanuts from marketing penalties; (4) penalize handlers for marketing peanuts in excess of the quantity, grade, or quality of quota levels; (5) change the deadline for contracting for additional peanuts from June 15 to April 15; (6) permit producers to redeem additional peanuts from loan at prices equal to or more than 105 percent of the loan level of quota peanuts; and (7) give sole authority to the area marketing associations for selling additional peanuts under loan when such peanuts are sold at prices not less than the Commodity Credit Corporation's minimum price.

Extends through 1985: (1) specified reporting and recordkeeping requirements; and (2) preservation of unused allotments provisions.

Extends the price support program for the 1982-1985 peanut crops. Modifies such program to: (1) establish such levels at the Secretary's discretion, but not less than $650 per ton; (2) set forth factors to be considered by the Secretary in making any loan level adjustments; (3) prohibit the support price for additional peanuts to be set at a level that would incur losses for the Commodity Credit Corporation; (4) require storage loans and supervisory activities to be carried out by grower associations operated primarily for such purposes; and (5) direct the Secretary to require area marketing associations to establish recordkeeping procedures.

Title VIII: Soybeans.—Amends the Agricultural Act of 1949 to establish the soybean price support program under the category of "basic agricultural commodity."

Provides for loans and purchases of the: (1) 1982 soybean crop at 75 percent of the average U.S. price over a given period; and (2)

1983–1985 soybean crops at between 65–85 percent of such price. States that the level for the 1982–1985 crops shall not be less than $5.02 per bushel.

States that soybeans are ineligible for the producer storage reserve program.

Title IX: Grain Reserve Storage Facility Loans.—Modifies the current wheat and feed grains producer storage program as follows: (1) directs the Secretary to set up a producer storage program for wheat and feed grains; (2) authorizes the Secretary to fix loan levels as necessary to encourage producer participation; (3) establishes the repayment period for such loans at not less than three years with an adjustable interest rate based upon the rate paid by the Commodity Credit Corporation; (4) sets the release price for a particular commodity at the average adjusted cost of production; (5) provides for storage payments to be made until the loan matures or until the commodity's market price is at least 115 percent of the release price; (6) authorizes the Secretary to require early repayment in cases of emergency, after sending notice of such a situation to the Senate and House Agriculture Committees; and (7) prohibits the Commodity Credit Corporation from selling wheat or feed grains at less than 130 percent of the release price whenever the storage program is in effect.

Extends the farm storage facility loan program through 1985.

Title X: Miscellaneous.—Extends the special grazing and hay program through 1985.

Amends the Wheat and Wheat Foods Research and Nutrition Education Act to provide penalties for violations of such Act.

Repeals title XVIII (advisory committees) of the Food and Agriculture Act of 1977.

Directs: (1) the Secretary to appoint a special task force to study the concept of farm income protection insurance; (2) such task force to report to the Senate and House Agriculture Committees within 18 months of enactment of this Act; and (3) such task force to be dissolved 40 days after submitting such report.

Amends the United States Grain Standards Act to authorize State agencies to perform official inspections at export port locations under specified circumstances.

Title XI: Agricultural Exports.—Amends the Commodity Credit Corporation Charter Act to establish in the U.S. Treasury an Agricultural Export Credit Revolving Fund to make loans to foreign purchasers of U.S. agricultural commodities and for loans for related overseas facilities construction and acquisition. Authorizes specified appropriations for fiscal years 1982–1984. Requires the Secretary to make annual reports (beginning not later than December 31, 1982) to Congress regarding the Fund's operations. Dissolves such Fund effective October 1, 1985.

Provides for a two-House veto of any bilateral international agreement (excluding treaties) which involves a commitment by the United States to assure access by foreign countries or instrumentalies to U.S. agricultural commodities on a commercial basis.

Directs the Secretary to formulate a special export subsidy program to neutralize the effects of such foreign subsidies in non-U.S. markets. Sets forth the determinations which must be first made by the President before the Secretary may so act.

Amends the Agricultural Trade Suspension Adjustment Act of 1980 to direct the Secretary to mitigate the adverse effects on agricultural prices generated by executive foreign policy or national security export controls. Sets forth formula for determining such payments.

Amends the Agricultural Trade Development and Assistance Act of 1954 (Public Law 480) to extend international assistance programs under such Act through 1985.

Title XII: Food Stamps.—Amends the Food Stamp Act of 1977 to establish a food stamp purchase requirement. Exempts the elderly and the disabled from such requirement. Increases from 30 to 33 percent the assumed amount of income spent on food. Establishes penalties for abuses by coupon issuers. Excludes boarders from food stamp participation. Requires children and parents living together to apply as one household unless one of the parents is at least 60 years old. Eliminates the provision allowing food stamps to be used in authorized restaurants.

Adjusts the cost of the Thrifty Food Plan on January 1 of each year to reflect cost increases for the 12 months preceding September 30. Permits the Secretary to make individual food needed adjustments in such Plan.

Permits low income energy assistance payments to be counted as income for purposes of determining food stamp benefits.

Requires States to establish a workfare program as a condition for participation in the food stamp program.

Eliminates inflation adjustments for household income computation. Disallows income deductions for household expenses paid by a third party.

Increases the period of disqualification for State-determined fraud from three to 12 months. Establishes a minimum 12-month period of disqualification for food stamp coupon fraud. Requires repayment of double the value of fraudulently received coupons before a person is eligible to again participate in the program (currently liable for the value of fraudulently received coupons).

Lowers the age of "dependent" children from 12 to six for work exemption purposes.

Prohibits any non-participating household from becoming eligible for such program, or from increased benefits, because of a family member going on strike. Disqualifies households (other than those with elderly or certain disabled members) if gross income exceeds: (1) one-twelfth of the nonfarm poverty level; and (2) for a household with income, 115 percent of such poverty level.

Reduces the household school lunch allotment and the per meal value of the Thrifty Food Plan for a family of eight.

Requires first-month benefits to be pro-rated as necessary.

Eliminates: (1) the provision prohibiting food stamps from being counted as income for public assistance determinations; and (2) Federal funding under such Act for food stamp outreach activities. Limits the period for recovering wrongfully denied benefits to 45 days from the date such a request is received by the State agency.

Increases funding authorization for fiscal year 1981, and authorizes specified maximum appropriations for fiscal years 1982–1985.

Amends the Agriculture and Consumer Protection Act of 1973 to extend specified commodities distribution programs through fiscal year 1985. Establishes penalties for fraudulent use of such commodities.

Amends the Food Stamp Act Amendments of 1980 to repeal scheduled increases in dependent care deductions for working adults and medical deductions for the elderly and the disabled.

Title XIII: Reauthorization of the Agricultural Research, Extension, and Teaching Policy Act of 1977.—Extends the terms of the Joint Council on Food and Agricultural Sciences, and the National Agricultural Research and Extension Users Advisory Board from five to ten years. Revises membership and reporting provisions. Exempts such Council from the provisions of the Federal Advisory Committee Act.

Creates an additional Assistant Secretary of Agriculture to be appointed by the President with the advice and consent of the Senate.

Extends the authorization of appropriations for competitive research grants through fiscal year 1987. Makes: (1) land grant college research foundations eligible for special grants; and (2) cooperative forestry schools and land grant colleges eligible for facilities grants.

Amends the Research Facilities Act of 1963 to extend the authorization of appropriations through fiscal year 1987.

Amends the National Agricultural Research, Extension, and Teaching Policy Act to: (1) direct the Secretary to develop a higher education program in the food and agricultural sciences; (2) direct the Secretary of Education to transfer specified authority not already transferred to the Secretary of Agriculture under the Food and Agriculture Act of 1977; (3) authorize the Secretary of Agriculture to make grants to colleges for food and agricultural sciences programs, and (4) make competitive grants for specialized programs. Extends the authorization of appropriations for higher education grants through fiscal year 1987.

Transfers specified teaching and related functions from the Secretary of Education to the Secretary of Agriculture.

Extends the authorization of appropriations for alcohol and industrial hydrocarbon research grants through fiscal year 1987. Increases the maximum amount awardable to institutions in any one State.

Establishes a distribution formula for the national education program.

Extends the term of the Animal Health Science Research Advisory Board from five to ten years. Requires the Secretary to establish priority lists of animal health problems and to award grants on the basis of such priorities.

Directs the Secretary to utilize institutions of higher education to develop linkages among such institutions, the Federal Government, and international research centers to improve worldwide food and agricultural progress. Authorizes the Secretary to provide technical assistance (on a reimbursable basis) to U.S. institutions so involved.

Extends authorizations of appropriations through fiscal year 1987 for: (1) agricultural research; (2) agricultural experimental stations; and (3) cooperative extension programs.

Provides that funds made available by the Secretary under specified Acts shall not be subject to reduction for indirect costs incurred by the recipient.

Amends the McIntyre-Stennis Act of 1962 to direct the Secretary to appoint a 16 member forestry advisory council.

Amends Federal law to make funds from custom duties on agricultural products available for food and agricultural research, extension, and teaching.

Amends the Federal Property and Administrative Services Act of 1949 to permit the Secretary to furnish excess Federal property to State and county extension services, agricultural experimental stations, and to land grant colleges.

Title XIV: Resource Conservation.—Directs the Secretary to establish a program for the conservation of soil, water, and related resources in special designated areas with soil and water management problems. Provides with regard to such program that: (1) a conservation plan shall be developed by the Secretary and the local soil and water conservation district; (2) such plan shall be the basis for contracts to pay landowners to make conservation-oriented cropping changes; (3) contracts shall be for a maximum length of ten years; (4) special areas may be designated for ten years following enactment of this Act; and (5) the Secretary shall report to Congress by January 1, 1986, and at five-year intervals thereafter. Authorizes necessary appropriations.

Amends the Watershed Protection and Flood Preservation Act to: (1) make all Indian tribes eligible sponsors of small watershed projects; (2) permit the Federal Government to share the costs of mitigating fish and wildlife losses resulting from such projects; and (3) raise the approval authority of the Secretary from $1,000 to $3,000. Permits energy developing components of projects under such Act and under title III of the Bankhead-Jones Farm Tenant Act to be considered as part of the cost-benefit ratio.

Authorizes the Secretary to use voluteers for conservation work without regard to civil service requirements. Deems such volunteers to be Federal employees for purposes of injury and tort compensation. Authorizes necessary appropriations.

Title XV: Effective Date.—Makes this Act effective as of October 1, 1981, except as otherwise provided therein.

Sponsored by Mr. Helms, was reported by the Senate Committee on Agriculture, Nutrition, and Forestry, and cosponsored by Mr. Jepsen, Mrs. Hawkins, and Mr. Thurmond.

Passed Senate on September 18, 1981.

Amended, roll call No. 273 (49–32)

Senate agreed to conference report, December 10, 1981.

The Senate agreed to the following amendments:

S. Amdt. No. 355, to further revise the programs to provide price support and production incentives for farmers, sponsored by Mr. Helms.

S. Amdt. No. 356, to revise the dairy price support provisions, sponsored by Mr. Jepsen.

S. Amdt. No. 357, to reaffirm United States policy in fostering family farms and require that the annual report of the Secretary of Agriculture include an assessment of how tax credit, and other laws affect the growth of nonfamily farm operations, sponsored by Mr. Zorinksy.

S. Amdt. No. 363, to direct the Secretary of Agriculture to use the authority provided in section 1203 to implement a special standby export subsidy program for potatoes, sponsored by Mr. Cohen.

S. Amdt. No. 364, to amend the perishable Agricultural Commodities Act, 1930, to increase the ceilings on license fees and to increase the level of damages claimed which entitles a respondent in a reparation proceeding to have an oral hearing, sponsored by Mr. Symms.

S. Amdt. No. 365, to amend the Federal Meat Inspection Act to require that imported meat products meet the inspection and other standards that apply to domestically produced agricultural products, sponsored by Mr. Melcher.

S. Amdt. No. 366, to provide for an adequate supply of malting barley in the event that the Secretary imposes an acreage reduction program for feed barley, sponsored by Mr. Andrews.

S. Amdt. No. 367, to provide grants to the 1890 land-grant colleges, including Tuskegee Institute, for the purpose of assisting these institutions in the purchase of equipment and land, and the planning, construction, alteration, or renovation of buildings to strengthen their capacity for research in the food and agricultural sciences, sponsored by Mr. Heflin.

S. Amdt. No. 368, to amend the Bankruptcy Act regarding farm produce storage facilities, and for other purposes, sponsored by Mr. Dole.

S. Amdt. No. 370, to make it unlawful to offer for sale or advertise protected seed when it is not certified by a State agency, sponsored by Mr. Melcher.

S. Amdt. No. 372, to establish a National Agricultural Cost of Production Standards Review Board and to give the Secretary of Agriculture greater flexibility in calculating production cost inputs, sponsored by Mrs. Kassebaum.

S. Amdt. No. 373, to authorize the Secretary of Agriculture to establish criteria in cooperation with Federal agencies and departments for the purpose of protecting prime and unique farmlands adverse effects resulting from Federal programs, sponsored by Mr. Leahy.

S. Amdt. No. 374, to require a study of the adverse impact of the foreign trade policies of foreign governments on the export sales of United States agricultural commodities and products thereof, sponsored by Mr. Abdnor.

S. Amdt. No. 376, an amendment to the Agriculture Export Credit Revolving Fund, sponsored by Mr. Domenici.

S. Amdt. No. 377, to provide greater protection against the introduction and dissemination of plant pests, sponsored by Mr. Hayakawa.

S. Amdt. No. 378, to enable producers and importers of flowers and plants to establish, finance, and carry out a coordinated program of research, producer and consumer information, and promotion to improve, maintain, and develop markets for flowers and plants, sponsored by Mr. Hayakawa.

S. Amdt. No. 379, to memorialize the International Trade Commission, sponsored by Mr. Melcher.

S. Amdt. No. 380, to equalize access to credit for widows, and other single parents, sponsored by Mr. Durenberger.

S. Amdt. No. 384, to direct the Secretary of Agriculture to review the procedures for determining quality differences in the cotton loan program and to revise such procedures to more accurately reflect actual market value, sponsored by Mr. Tower.

S. Amdt. No. 385, to provide for a study committee to study alternative methods of establishing values of premiums and discounts for grade, staple, and micronaire for the upland cotton loan program, sponsored by Mr. Heflin.

S. Amdt. No. 386, to authorize the Secretary of Agriculture to release bee germ plasm to the public, sponsored by Mr. Boren.

S. Amdt. No. 387 to provide for the development of an effective plan to deal with the adverse impact of suspensions on export sales of agricultural commodities, sponsored by Mr. Grassley.

S. Amdt. No. 388, to provide assistance to a farmer who removes his land from production for the purpose of installing permanent conservation measures, sponsored by Mr. Grassley.

S. Amdt. No. 389, to prohibit the making of deficiency payments to states and their subdivisions under the programs for wheat, feed grains, upland cotton, and rice, sponsored by Mr. Levin.

S. Amdt. No. 390, to make minor changes in the provisions relating to the Joint Council on Food and Agricultural Sciences to enable the Department of Agriculture to better carry out its science and education functions, sponsored by Mr. Helms.

S. Amdt. No. 391, to delete the requirement that actions under the Special Standby Export Subsidies Program be authorized by the dispute settlement procedures of the subsidies code of GATT, sponsored by Mr. Helms.

S. Amdt. No. 395, substituting that part of the bill which deals with wheat, feed grain, upland cotton and rice, sponsored by Mr. Dole.

S. Amdt. No. 399, to authorize and confirm administrative jurisdiction in the Secretary of Agriculture over certain lands, and for other purposes, sponsored by Mr. Melcher.

S. Amdt. No. 401, sponsored by Mr. Melcher.

S. Amdt. No. 402, to make technical corrections, sponsored by Mr. Helms.

S. Amdt. No. 403, to make technical corrections, sponsored by Mr. Helms.

S. Amdt. No. 423, to provide for a small shelterbelt program, sponsored by Mr. Pressler.

S. Amdt. No. 499, to provide for a Soybean Research Advisory Institute, sponsored by Mr. Heflin.

S. Amdt. No. 534, to amend section 403(e) of Public Law 480 of the 83rd Congress to allow for flexibility in determining the amount of reimbursement due the Commodity Credit Corporation, sponsored by Mr. Kasten.

S. Amdt. No. 539, to express the sense of the Senate that the Secretary of Agriculture should draw attention to the benefits of, and conduct additional research on, conservation tillage, sponsored by Mr. Grassley.

S. Amdt. No. 542, to urge and request the Secretary of Agriculture to use existing authority to increase sales of United States agricultural commodities and the products thereof in foreign countries, sponsored by Mr. Armstrong.

S. Amdt. No. 544, to eliminate acreage allotments, marketing quotas, foundage quotas, marketing penalties, and other provisions applicable to the production of peanuts and authorize a new price support program for such commodity effective beginning with the 1982 crop, sponsored by Mr. Lugar.

S. Amdt. No. 545, to provide a new program for peanuts for the 1982 through 1985 crops, sponsored by Mr. Mattingly.

S. 1395, extended time for conducting referendum regarding the National Wheat Marketing Quota

Amends the Agricultural Adjustment Act of 1938 to extend the deadline for conducting a referendum on wheat marketing quotas to October 15, 1981, or 30 days after Congress adjourns, whichever is sooner.

Amends the Agricultural Act of 1949 to eliminate the mandatory interest waiver on loans for 1980 and 1981 wheat and feed grain crops in the farmer-held grain reserve.

Sponsored by Mr. Helms, and cosponsored by Mr. Huddleston, Mr. Dole, Mr. Andrews, Mr. Boren, and Mr. Zorinsky.

Measure passed Senate on June 25, 1981.

Became Public Law No. 97-24, July 23, 1981.

S. 1712, extends the time for conducting the referendum with respect to the national marketing quota for wheat for the marketing year beginning June 1, 1982

Amends the Agricultural Adjustment Act of 1938 to extend the 1982 wheat crop referendum deadline to November 15, 1981.

Sponsored by Mr. Dole.

Signed by the President on October 14, 1981 and became Public Law No. 97-62.

S. Res. 257, Certain Outstanding Farmers Home Administration Loans

Expresses the sense of the Senate that the Secretary of Agriculture should continue Department policy in deferring the repayment of, and foreclosure proceedings on, certain outstanding loans made by the Farmers Home Administration.

Sponsored by Mr. Mattingly.

Agreed to in Senate without amendment and with a preamble by Voice Vote, December 11, 1981.

H.R. 4416, authorizes the Secretary of Agriculture to transfer Department funds on an emergency basis to eradicate plant pests or animal and poultry disease outbreaks

Measure signed in Senate on September 14, 1981 and signed by the President on September 25, 1981 and became Public Law No. 97-46.

H.R. 4612, establishes the milk price support at $13.10 per hundredweight for milk with 3.67 percent butterfat for the period October 1, 1981–November 15, 1981. Amends the Agricultural Adjustment Act of 1938 to extend the deadline for the 1981 wheat crop quota referendum

Reported by the Senate Committee on Agriculture, Nutrition, and Forestry.

Measure signed in Senate and signed by the President on October 20, 1981 and became Public Law No. 97–67.

S. 1948, Farm Credit Administration Regulations

Permits certain Farm Credit Administration regulations to become effective, which expand the authority of financing institutions, other than Farm Credit System institutions, to borrow from and discount with Federal intermediate credit banks.

Sponsored by Mr. Baker, and cosponsored by Mr. Helms, and Mr. Huddleston.

Passed Senate without amendment by Voice Vote, December 11, 1981.

PASSED SENATE ONLY

S. 1365, amends the Bankruptcy Reform Act of 1978 to set forth a procedure for the expedited abandonment of farm produce stored in a farm produce storage facility which has filed for bankruptcy

Sponsored by Mr. Dole, was reported by the Senate Committee on the Judiciary, and cosponsored by Mr. Danforth; Mr. Jepsen; Mrs. Kassebaum; Mr. Grassley; Mr. Gorton; Mr. Durenberger; Mr. Wallop; Mr. Eagleton; Mr. Randolph, and Mr. Percy.

Passed Senate with an amendment by Voice Vote, September 22, 1981.

S. Con. Res. 55, authorizes the Secretary of the Senate to make technical corrections in the enrollment of the bill (S. 884) to revise and extend programs to provide price support and production incentives for farmers to assure an abundance of food and fiber, and for other purposes

Sponsored by Mr. Helms, and cosponsored by Mr. Huddleston.
Passed Senate by Voice Vote, December 16, 1981.

APPROPRIATIONS

FISCAL 1981

H.R. 3512, Supplemental Appropriations and Rescission Act, 1981.

Reported by the Senate Committee on Appropriations.

Title I.—Makes supplemental appropriations for fiscal year 1981 to the Department of Agriculture for: (1) science and education administration; (2) Animal and Plant Health Inspection Service; (3) Federal Crop Insurance Corporation administrative and operating expenses; and (4) alcohol production facility loans. Rescinds or defers specified funds appropriated to the Department of Agriculture for fiscal year 1981 for: (1) the dairy and beekeeper indemnity programs conducted by the Agricultural Stabilization and Conservation Service; (2) moderate income housing loans from the Rural Housing Insurance Fund; (3) farm ownership loans from the Agricultural Credit Insurance Fund; and (4) soil and water loans.

Rescinds specified funds appropriated to the Department of the Treasury for fiscal year 1981 for the energy security reserve.

Defers specified amounts of the funds appropriated to the Department of Agriculture for fiscal year 1981 for: (1) rural community fire protection grants; and (2) rural development planning grants. Rescinds specified funds appropriated to the Department of Agriculture for fiscal year 1981 for rural housing supervisory assistance grants. Rescinds a specified amount of loan authority provided for the Rural Communication Development Fund. Makes supplemental appropriations for the child nutrition programs and the food stamp program of the Food and Nutrition Service. Makes such appropriation to the child nutrition program available only to the extent an official supplemental request is transmitted to the Congress. Makes such food stamp appropriation available only upon enactment into law of authorizing legislation, but pending the enactment of such legislation, funds received from the sale of surplus agricultural commodities shall be available to a specified extent and manner. Requires that such food stamp appropriation be subject to any work registration or workfare requirements as may be required by law. Specifies that a certain amount of such appropriations shall be available upon certification by the Secretary of Agriculture that the Department of Agriculture is using all regulatory and administrative methods available under law to curtail fraud, waste, and abuse in the program.

Expresses Congressional disapproval of the proposed deferral of budget authority (D81-105) relating to the Department of Commerce, National Oceanic and Atmospheric Administration, "Promote and Develop Fishery Products and Research Pertaining to American Fisheries" as set forth in the President's message of April 27, 1981.

Expresses Congressional disapproval of the proposed deferral of budget authority (D81-80) relating to the Department of Commerce, Maritime Administration, "Ship Construction" as set forth in the President's message of March 10, 1981.

Makes supplemental appropriations to the Department of Commerce for fiscal year 1981 for: (1) periodic censuses and programs of the Bureau of the Census: (2) operations, research, and facilities of the National Oceanic and Atmospheric Administration; (3) the Foreign Fishing Observer Fund; and (4) the Fishermen's Guaranty Fund. Rescinds specified funds appropriated to the Department of Commerce for fiscal year 1981 for: (1) economic development assistance programs; (2) regional development programs; (3) salaries and expenses of the United States Travel Service; (4) operations, research, facilities and construction of the National Oceanic and Atmospheric Administration; (5) scientific and technical research and services; (6) salaries and expenses of the National Telecommunications and Information Administration; (7) public telecommunications facilities, planning and construction; and (8) research and development of the Maritime Administration.

Defers funds appropriated for the Coastal Energy Impact Fund.

Expresses Congressional disapproval of the proposed deferral of budget authority (D81-86) relating to the Department of Justice, Federal Prison System, "Salaries and Expenses" as set forth in the President's message of March 10, 1981.

Makes supplemental appropriations (including transfer of funds) for fiscal year 1981 to the Department of Justice for: (1) salaries and expenses of United States attorneys and marshals; (2) salaries and expenses of the Federal Bureau of Investigation; (3) salaries and expenses of the Immigration and Naturalization Service; and (4) fees and expenses of witnesses. Authorizes the transfer of funds from the Federal Prison System for salaries and expenses and general legal activities, and for the salaries and expenses of the Drug Enforcement Administration. Makes supplemental appropriations for fiscal year 1981 to the Department of Justice for research and statistics of the Office of Justice Assistance, Research, and Statistics.

Makes supplemental appropriations (including transfer of funds) for fiscal year 1981 to the Department of State for: (1) salaries and expenses of the Administration of Foreign Affairs (including transfer of funds); (2) payment to the American Institute in Taiwan; and (3) payment to the Foreign Service Retirement and Disability Fund. Rescinds specified funds appropriated for fiscal year 1981 for contributions to international organizations.

Makes supplemental appropriations for fiscal year 1981 for: (1) the care of the building and grounds of the Supreme Court; (2) acquisition of property as an addition to the grounds of the Supreme Court building; and (3) the Judicial Survivors' Annuities Fund of the Courts of Appeals, District Courts, and Other Judicial Services.

Rescinds specified funds appropriated for fiscal year 1981 for arms control and disarmament activities of the Arms Control and Disarmament Agency.

Makes supplemental appropriations for fiscal year 1981 for: (1) grants and expenses of the Board for International Broadcasting; and (2) salaries and expenses of the Commission on Wartime Relocation and Internment of Civilians. Rescinds specified funds appropriated for fiscal year 1981 for: (1) grants and expenses of the Board for International Broadcasting; (2) salaries and expenses of the Federal Trade Commission; and (3) salaries and expenses of the Small Business Administration. Directs the Secretary of the Treasury to cancel all notes originally issued or assumed by the Director of the United States Information Agency for purposes of payments under Informational Media Guarantees, and sums owing and unpaid thereon, including interest to the time of cancellation.

Expresses Congressional disapproval of the proposed deferral (D81-41A) relating to the Business Loan and Investment Fund of the Small Business Administration, as set forth in the President's message of March 10, 1981.

Expresses Congressional disapproval of the proposed deferral (D81-102) relating to the Surety Bond Guarantees Revolving Fund of the Small Business Administration, as set forth in the President's message of March 10, 1981.

Expresses Congressional disapproval of the proposed deferral of budget authority (D81-75) relating to the International Communication Agency, "Salaries and expenses (special foreign currency program)" as set forth in the President's message of February 13, 1981.

Makes supplemental appropriations for fiscal year 1981 to the Department of Defense for: (1) military personnel of the Navy and Air Force; (2) military personnel of the Marine Corps (including transfer of funds); (3) reserve personnel of the Army and Marine Corps; (4) National Guard Personnel of the Army and the Air Force; (5) operation and maintenance of the Army (including the Army Stock Fund); Navy, Marine Corps, Air Force, Defense Agencies (including the Defense Stock Fund); Army Reserve, Navy Reserve, Air Force Reserve, Army National Guard, and Air National Guard; (6) aircraft, missiles, weapons and tracked combat vehicles, ammunition, and other procurement by the Army; (7) aircraft, shipbuilding and conversion, and other procurement by the Navy; (8) procurement by the Marine Corps; (9) aircraft, missile and other procurement by the Air Force; (10) procurement by Defense Agencies; (11) research, development, test, and evaluation by the Army, Navy, Air Force, and Defense Agencies; (12) special pay for aviation officers; and (13) mileage reimbursement of military personnel undergoing a change of station move. Permits transfer of appropriations or funds available to the Department of Defense to fiscal year 1981 appropriations for research, development, test, and evaluation to the extent necessary to meet increased pay costs authorized by or pursuant to law.

Makes a specified amount of the supplemental funds appropriated to the Navy available for research, development, test, and evaluation for research and development in connection with the reactivation of the battleships U.S.S. *New Jersey* and the U.S.S. *Iowa*.

Prohibits any of the funds appropriated to the Department of Defense for fiscal year 1981 and thereafter from being made available for obligation to reimburse a contractor for the cost of commercial insurance that would protect against the costs of correction of the contractor's own defects in materials or workmanship incident to the normal course of construction.

Makes supplemental appropriations for fiscal year 1981 to the Department of Energy for: (1) atomic energy defense activities (both operating expenses and plant and capital equipment); and (2) general administration (operating expenses only). Rescinds or defers specified funds appropriated to the Department of Energy for fiscal year 1981 for operating expenses and plant and capital equipment for: (1) energy supply, research and development activities; (2) uranium supply and enrichment activities; (3) general science and research activities; and (4) departmental administration.

Rescinds and defers specified 1981 appropriations for the geothermal loan guarantee and interest assistance program.

Expresses Congressional disapproval of the proposed deferral (D81-29A) relating to the Atomic Energy Defense Activities inertial confinement fusion program as set forth in the President's message of March 10, 1981.

Makes supplemental appropriations for fiscal year 1981 to the Department of Defense—Civil, Department of the Army for: (1) operation and maintenance of the Corps of Engineers—Civil; (2)

flood control and coastal emegencies; and (3) flood control, Mississippi river and tributaries.

Rescinds specified funds appropriated for fiscal year 1981 for: (1) Appalachian regional development programs; (2) salaries and expenses of the Nuclear Regulatory Commission; (3) payment to the Tennessee Valley Authority; and (4) water resources planning of the Water Resources Council. Defers specified funds appropriated for: (1) Appalachian regional development programs; and (2) the Tennessee Valley Authority.

Makes supplemental appropriations for fiscal year 1981 for: (1) payment to the International Development Association; and (2) payment to the African Development Bank.

Appropriates supplemental funds for fiscal year 1981 for: (1) payment to the Foreign Service Retirement and Disability Fund; and (2) operating expenses of the Agency for International Development. Rescinds specified funds appropriated for fiscal year 1981 for the Inter-American Foundation.

Makes supplemental appropriations for fiscal year 1981 for the Peace Corps.

Rescinds specified funds appropriated for fiscal year 1981 to the Department of State for: (1) international narcotics control; and (2) migration and refugee assistance.

Limits, during fiscal year 1981, the loan activity of the Export-Import Bank of the United States.

Appropriates supplemental funds to the Department of Housing and Urban Development (HUD) for fiscal year 1981 for: (1) housing payments; (2) payments for the operation of low-income housing projects; (3) payments to the Federal Financing Bank (including transfer of funds); and (4) Government National Mortgage Association guarantees of mortgage-backed securities. Rescinds specified appropriations to HUD for: (1) annual contributions for assisted housing; (2) the congregate services program; (3) assistance for solar and conservation improvements; (4) comprehensive community planning grants; (5) the rehabilitation loan fund; (6) housing counseling assistance; (7) the neighborhood self-help development project; and (8) research and technology.

Rescinds funds appropriated for fiscal year 1981 to: (1) the Environmental Protection Agency for research and development, abatement, control, compliance and construction grants; (2) the Council on Environmental Quality, the Office of Environmental Quality and the Office of Science and Technology Policy; (3) the Federal Emergency Management Agency for disaster relief; (4) the National Aeronautics and Space Administration for research and development; (5) the National Consumer Cooperative Bank for self-help development; (6) the National Science Foundation for research and related activities and for science education activities; (7) the Selective Service System for salaries and expenses; and (8) the Veterans Administration for major projects construction.

Makes supplemental appropriations for fiscal year 1981 to: (1) the Environmental Protection Agency for the Hazardous Substance Response Trust Fund and to carry out the Comprehensive Environmental Response, Compensation, and Liability Act of 1980; and (2) the Veterans Administration for compensation and pensions, readjustment benefits, veterans insurance and indemnities, medical care, and the Vocational Rehabilitation Revolving Fund.

Expresses Congressional disapproval of the following proposed deferrals relating to the Veterans Administration which were transmitted to the Congress by the President on March 10, 1981: (1) D81-95, medical care; (2) D81-96, medical and prosthetic research; (3) D81-97, medical administration and miscellaneous operating expenses; and (4) D81-98, major projects construction.

Increases the limitation on nonadministrative expenses of the Federal Home Loan Bank Board.

Makes supplemental appropriations for fiscal year 1981 to the Department of the Interior for: (1) management of lands and resources by the Bureau of Land Management; (2) resource management by the United States Fish and Wildlife Service; (3) operation of the National Park System by the National Park Service; (4) surveys investigations, and research by the Geological Survey; (5) operation of Indian programs by the Bureau of Indian Affairs; (6) administration of territories by the Office of Territorial Affairs; (7) salaries and expenses of the Office of the Solicitor; and (8) the Inspector General. Rescinds specified funds appropriated for fiscal year 1981 to the Department of the Interior for: (1) construction; (2) anadromous fish; (3) the Youth Conservation Corps; (4) the Rural Water Treatment and Distribution System; and (5) Land and Water Conservation Fund. Rescinds and defers specified funds appropriated for fiscal year 1981 for the Office of Water Research and Technology, salaries and expenses. Rescinds and defers funds appropriated for fiscal year 1981 for the regulation and technology activities of the Office of Surface Mining Reclamation and Enforcement.

Makes supplemental appropriations for fiscal year 1981 to the Department of Agriculture for the National Forest System and construction and land acquisition.

Rescinds specified funds appropriated to the Department of Energy for fiscal year 1981 for: (1) alternative fuels production; (2) the Energy Information Administration; (3) fossil energy construction; (4) energy production, demonstration, and distribution; and (5) energy conservation. Defers funds appropriated for fiscal year 1981 for: (1) fossil energy research and development; (2) fossil energy construction; (3) energy production, demonstration, and distribution programs; (4) energy conservation; and (5) economic regulation.

Rescinds specified funds appropriated for fiscal year 1981 to the Department of the Treasury for the Energy Security Reserve.

Makes supplemental appropriations for fiscal year 1981 to the: (1) Department of Energy for the strategic petroleum reserve; and (2) Department of Health and Human Services for Indian health services and facilities under the Health Services Administration; and (2) the Smithsonian Institution for salaries and expenses.

Rescinds specified funds appropriated for fiscal year 1981 to the Federal Inspector for the Alaska Gas Pipeline for permitting and enforcement.

Rescinds funds appropriated for fiscal year 1981 to the Department of Labor for: (1) employment assistance under the Employment and Training Administration; (2) salaries and expenses of the Labor-Management Services Administration; (3) salaries and expenses of the Employment Standards Administration; (4) salaries and expenses of the Occupational Safety and Health Administration; (5) salaries and expenses of the Mine Safety and Health Administration; (6) salaries and expenses of the Bureau of Labor Statistics; and (7) salaries and expenses for departmental management. Makes supplemental appropriations for fiscal year 1981 for the Black Lung Disability Trust Fund.

Rescinds specified funds appropriated for fiscal year 1982 to the Department of Health and Human Services for: (1) health services of the Health Services Administration; (2) preventive health services of the Centers for Disease Control; (3) the National Cancer Institute; (4) the National Heart, Lung, and Blood Institute; (5) the National Institute of Arthritis, Metabolism, and Digestive Diseases; (6) the National Institute of Neurological and Communicative Disorders and Stroke; (7) the National Institute of General Medical Sciences; (8) the National Institute of Child Health and Human Development; (9) the National Eye Institute; (10) the National Institute of Environmental Health Sciences; (11) the National Institute on Aging; (12) research resources of the National Institutes of Health; (13) the Alcohol, Drug Abuse, and Mental Health Administration; (14) construction and renovation of Saint Elizabeths Hospital; (15) the Health Resources Administration; (16) salaries and expenses of the Assistant Secretary for Health; (17) payments to health care trust funds of the Health Care Financing Administration; (18) program management of the Health Care Financing Administration; (19) refugee assistance under the Social Security Administration; (20) human development services of the Assistant Secretary for Human Development Services; (21) low income energy assistance; and (22) Cuban and Haitian entrants reception and processing.

Makes supplemental appropriations for fiscal year 1981 to the Department of Health and Human Services for: (1) salaries and expenses of the Assistant Secretary for Health (permits transfer of such sums to other appropriations of the Public Health Service to pay costs associated with the reduction or termination of various programs); (2) grants to States for social and child welfare services; and (3) Cuban and Haitian entrants domestic assistance.

Rescinds specified funds appropriated for fiscal year 1981 to the Department of Education for: (1) elementary and secondary education; (2) school assistance in federally affected areas; (3) equal educational opportunities; (4) libraries and learning resources; (5) education for the handicapped; (6) rehabilitation services and handicapped research; (7) vocational and adult education; (8) higher and continuing education; (9) school improvement; (10) research and related activities; (11) college housing loans; and (12) salaries and expenses of departmental management. Makes supplemental appropriations for fiscal year 1981 to the Department of Education for: (1) student financial assistance; and (2) student loan insurance.

Disapproves deferral number D81-82 relating to the Higher Education Facilities Loan and Insurance Fund, which was transmitted in the special message of March 10, 1981.

Rescinds specified funds appropriated for fiscal year 1981 for: (1) the operating expenses and domestic programs of ACTION; (2) the community services program of the Community Services Administration; (3) the Public Broadcasting Fund of the Corporation for Public Broadcasting; (4) salaries and expenses of the Federal Mine Safety and Health Review Commission; (5) salaries and expenses of the Occupational Safety and Health Review Commission; and (6) salaries and expenses of the National Labor Relations Board. Makes supplemental appropriations for fiscal year 1981 for: (1) the National Commission on Student Financial Assistance; and (2) operation and maintenance of the Soldiers' and Airmen's Home. Limits gross obligations for direct loans of the Rural Development Loan Fund to not more than $5,500,000 during 1981 and prohibits any guarantee commitments in 1981. Prohibits the Community Development Credit Unions Revolving Fund from incurring any obligations for direct loans during 1981.

Makes supplemental appropriations for fiscal year 1981 to the Legislative Branch for: (1) payment to a specified widow of a late Representative from the State of Ohio; (2) specified activities of the Committee on Appropriations; (3) official mail costs; (4) salaries and expenses of the Office of Technology Assessment; (5) acquisition of property as an addition to the Capitol grounds by the Architect of the Capitol; (6) the Capitol powerplant; (7) the moving costs of the Library of Congress to the James Madison Memorial Building; (8) salaries and expenses of the Copyright Royalty Tribunal; (9) salaries and expenses of the Government Printing Office; and (10) salaries and expenses for the Offices of the Secretaries for the Majority and Minority of the Senate; and (11) the Senate Stationery revolving fund. Rescinds specified funds appropriated for fiscal year 1981 to the Legislative Branch for: (1) House office buildings; (2) the Capitol powerplant; (3) Library buildings and grounds; and (4) the special foreign currency program of the Library of Congress; (5) Capitol grounds and buildings; (6) Senate garage; and (7) Capitol powerplant.

Rescinds certain previously appropriated funds to the Senate.

Makes supplemental appropriations for fiscal year 1981 to the Department of Transportation for: (1) the Coast Guard for operating expenses, retired pay, reserve training, the Deepwater Port Liability Fund, and the Pollution Fund; (2) the Federal Highway Administration for highway-related safety grants, the national scenic and recreational highway, Federal-aid highways, and the urban high density traffic program; and (3) the Federal Railroad Administration for the Conrail workforce reduction program, grants to the National Railroad Passenger Corporation (including transfer of funds), settlements of railroad litigation, rail labor assistance, and rail service assistance (and disapproves deferral D81-91). Rescinds specified funds appropriated for fiscal year 1981 for the Federal Railroad Administration for railroad rehabilitation and improvement financing funds. Expresses Congressional disapproval of deferral D81-17B relating to Federal Aviation Administration facilities and equipment. Reduces the allocation of appropriated funds for the aircraft purchase loan guarantee program.

Amends the Department of Transportation and Related Agencies Appropriation Act, 1981, to reduce the limitation of obligations for grants-in-aid for airport planning and development.

Makes supplemental appropriations for fiscal year 1981 to the Urban Mass Transportation Administration for: (1) research, development, and demonstrations and university research and training (including transfer of funds); (2) interstate transfer grants; (3) salaries and expenses of the Office of the Inspector General; and (4) access highways to public creation areas on certain lakes. Rescinds specified funds appropriated for fiscal year 1981 for: the waterborne transportation demonstration project; and (2) the cooperative automotive research program. Defers specified funds appropriated for fiscal year 1981 for urban discretionary grants. Increases the limitation on administrative expenses of the Saint Lawrence Seaway Development Corporation.

Makes supplemental appropriations for fiscal year 1981 to: (1) the Civil Aeronautics Board for payments to air carriers; (2) the Motor Carrier Ratemaking Study Commission for salaries and expenses; (3) the Panama Canal Commission for operating expenses and the emergency fund; and (4) the United States Railway Association for payments for the purchase of Conrail securities. Rescinds specified funds appropriated for fiscal year 1981 to the Department of the Treasury for investment in fund anticipation notes.

Authorizes the Secretary of Transportation to grant the City of Gary, Indiana, a release from certain terms and restrictions contained in a conveyance of specified property for airport purposes.

Designates the week of June 28 through July 4, 1981 as National Clean-up and Flag-up America's Highways Week.

Makes supplemental appropriations for fiscal year 1981 to: (1) the Department of the Treasury for the salaries and expenses of the United States Customs Service; (2) the Committee for Purchase from the Blind and other Severely Handicapped for salaries and expenses; (3) the General Services Administration for the Federal Buildings Fund and the General Supply Fund (including transfer of funds); (4) the National Archives and Records Service for operating expenses; (5) the Office of Personnel Management for the payment to the Civil Service Retirement and Disability Fund and the Revolving Fund; (6) the Merit Systems Protection Board for salaries and expenses (including transfer of funds); (7) the Federal Labor Relations Authority for salaries and expenses; (8) the United States Tax Court for salaries and expenses; and (9) the Internal Revenue Service for taxpayer service and returns processing.

Rescinds specified funds appropriated for fiscal year 1981 to: (1) the United States Postal Service for payments to the Postal Service Fund; (2) the Council on Wage and Price Stability; (3) the Merit Systems Protection Board for salaries and expenses; and (4) intergovernmental personnel assistance.

Increases limitations on appropriations available during fiscal year 1981 for personal services expenditures and on appropriations which may be transferred among accounts involving personal services, to the extent necessary to meet increased pay costs pursuant to law, except where such limitations are increased or decreased elsewhere in this Act.

Makes supplemental appropriations for fiscal year 1981 to the District of Columbia for: (1) the Federal payment to the District of Columbia; (2) public safety and justice; (3) public education system; (4) human support services; (5) Water and Sewer Enterprise Fund; (6) Washington Convention Center Enterprise Fund; and (7) capital outlay. Rescinds specified funds appropriation for fiscal year 1981 to the District of Columbia for: (1) governmental direction and support; (2) economic development and regulation; (3) public education system; (4) transportation services and assistance; and (5) environmental services and supply.

Title II: Increased Pay Costs for the Fiscal Year 1981.—Makes supplemental appropriations for fiscal year 1981 for increased pay costs to: (1) the Legislative Branch for: (a) the House of Representatives; (b) the Joint Committee on Taxation; (c) the Capitol Guide Service; (d) education of pages; (e) the Office of Technology Assessment; (f) the Congressional Budget Office; (g) the Architect of the Capitol (including transfer of funds); (h) the Botanic Garden; (i) the Library of Congress (including transfer of funds); (j) the General Accounting Office; and (k) the Government Printing Office; (2) the Judiciary for the: (a) Supreme Court of the United States; (b) Court of Customs and Patent Appeals; (c) U.S. Court of International Trade; (d) Court of Claims; (e) courts of appeals, district courts, and other judicial services (including transfer of funds); (f) Administrative Office of the United States Courts; and (g) Federal Judicial Center; (3) the Executive Office of the President for the: (a) White House Office; (b) Executive Residence at the White House; (c) Special Assistance to the President; (d) Council of Economic Advisers; (e) National Security Council; (f) Office of Administration; (g) Office of Management and Budget; (h) Office of Federal Procurement Policy; (i) Office of the United States Trade Representative; (j) funds appropriated to the President for the International Development Cooperation Agency.

Appropriates supplemental funds for fiscal year 1981 for increased pay costs to the: (1) Department of Agriculture for the: (a) Office of the Secretary; (b) Science and Education Administration; (c) Agricultural Stabilization and Conservation Service (including transfer of funds); (d) Rural Electrification Administration; (e) Farmers Home Administration; (f) Soil Conservation Service; (g) Federal Grain Inspection Service; and (h) Agricultural Marketing Service; (i) Food and Nutrition Service; (j) Forest Service; (2) Department of Commerce for the: (a) general administration; (b) Bureau of the Census; (c) Economic and Statistical Analysis; (d) International Trade Administration; (e) National Oceanic and Atmospheric Administration (f) Patent and Trademark Office; and (g) Maritime Administration; (3) Department of Defense—Military for military personnel and operation and maintenance and family housing; (4) Department of Defense—Civil for the Soldier's and Airmens' Home and the Corps of Engineers—Civil; (5) Department of Education for departmental management; (6) Department of Energy for: (a) fossil energy research and development; (b) energy production, demonstration, and distribution; (c) energy conservation; (d) economic regulation; (e) the strategic petroleum reserve; (f) departmental administration; and (g) the Federal Energy Regulatory Commission; (7) Department of Health and Human Services for the: (a) Food and Drug Administration; (b) Health Services Administration; (c) Alcohol, Drug Abuse, and Mental Health Administration; (d) Health Resources Administration (transfer of funds); (e) Social Security Administration for administrative expenses and for supplemental security income; (f) departmental management (transfer of funds); (g) Center for Disease Control; (h)

Health Care Financing Administration; and (i) Office of Human Development Services; (8) Department of Housing and Urban Development for management and administration (including transfer of funds).

Makes supplemental appropriations for fiscal year 1981 for increased pay costs to; (1) the Department of the Interior for: (a) the Bureau of Land Management; (b) the Water and Power Resources Service (including transfer of funds); (c) the U.S. Fish and Wildlife Service; (d) the National Park Service; (e) the Geological Survey; (f) Bureau of Mines; (g) the Bureau of Indian Affairs; (h) the Office of Territorial Affairs (including transfer of funds); (i) the Office of the Solicitor; and (j) the Office of the Secretary; (2) the Department of Justice for: (a) general administration; (b) the United States Parole Commission; (c) legal activities; (d) the Federal Bureau of Investigation; (e) the Immigration and Naturalization Service; (f) the Drug Enforcement Administration; (g) the Federal Prison System; and (h) the Office of Justice Assistance, Research, and Statistics; (3) the Department of Labor for the: (a) Employment and Training Administration (including transfer of funds); (b) Labor-Management Services Administration; (c) Occupational Safety and Health Administration; (d) Mine Safety and Health Administration; (e) Bureau of Labor Statistics; and (f) departmental management; (4) the Department of State for Administration of Foreign Affairs and international commissions; (5) the Department of Transportation for: (a) the Office of the Secretary; (b) the Coast Guard; (c) the Federal Aviation Administration; (d) the Federal Highway Administration (including transfer of funds); (e) the Federal Railroad Administration; (f) Urban Mass Transportation Administration (transfer of funds); (g) Saint Lawrence Seaway Development Corporation; and (h) Office of the Inspector General (transfer of the funds); (6) the Department of the Treasury for the: (a) Office of the Secretary; (b) Office of Revenue Sharing; (c) Federal Law Enforcement Training Center; (d) Bureau of Government Financial Operations; (e) Bureau of Alcohol, Tobacco and Firearms; (f) United States Customs Service; (g) Bureau of the Mint; (h) Internal Revenue Service (including transfer of funds); and (i) United States Secret Service; (7) the Environmental Protection Agency for salaries and expenses; (8) the National Aeronautics and Space Administration for research and program management; (9) the Veterans Administration for: (a) medical care; (b) medical and prosthetic research; (c) medical administration and miscellaneous operating expenses; and (d) general operating expenses.

Makes supplemental appropriations for fiscal year 1981 for increased pay costs to the following independent agencies: (1) the Administrative Conference of the United States; (2) the Advisory Council on Historic Preservation; (3) the American Battle Monuments Commission; (4) the Civil Aeronautics Board; (5) the Commission on Fine Arts; (6) the Commission on Civil Rights; (7) the Committee for Purchase from the Blind and other Severely Handicapped; (8) the Commodity Futures Trading Commission; (9) the Equal Employment Opportunity Commission; (10) the Export-Import Bank of the United States; (11) the Farm Credit Administration; (12) the Federal Communications Commission; (13) the Federal Election Commission; (14) the Federal Home Loan Bank

Board; (15) the Federal Labor Relations Authority; (16) the Federal Maritime Commission; (17) the General Services Administration; (18) the Federal Supply Service (including transfer of funds); (19) the Transportation and Public Utilities Service; (20) the National Archives and Records Service (including transfer of funds); (21) the Automated Data and Telecommunications Service; (22) the Federal Property Resources Service; (23) General Management and Administration; (24) the Intelligence Community Staff; (25) the Advisory Commission on Intergovernmental Relations; (26) the Delaware River Basin Commission; (27) the Susquehanna River Basin Commission; (28) the International Communication Agency; (29) the International Trade Commission; (30) the Merit Systems Protection Board; (31) the National Capital Planning Commission; (32) the National Foundation on the Arts and the Humanities; (33) the National Endownment for the Arts; (34) the National Labor Relations Board; (35) the National Science Foundation; (36) the National Transportation Safety Board; (37) the Office of Personnel Management (including transfer of funds); (38) the Panama Canal Commission; (39) the Railroad Retirement Board; (40) the Securities and Exchange Commission; (41) the Smithsonian Institution; (42) the Navajo and Hopi Relocation Commission; and (43) the United States Tax Court; and (44) ACTION.

Title III: General Provisions.—States that no part of any appropriation contained in this Act shall remain available for obligation beyond fiscal year 1981 unless expressly so provided.

Prohibits any part of any appropriation contained in this Act for departments and agencies funded in the Department of Housing and Urban Development-Independent Agencies Appropriation Act, 1981, for personnel compensation and benefits from being made available for other object classifications set forth in the budget estimates submitted for the appropriations without the approval of the Committees on Appropriations.

Prohibits the use of any of the funds in this Act to prevent or interfere with the right and obligation of the Commodity Credit Corporation to sell surplus agricultural commodities in world trade at competitive prices as authorized by law.

Expresses the sense of Congress that Congress: (1) should carefully study all options to find the most equitable solution to insuring the fiscal integrity of the social security system; and (2) shall not precipitously and unfairly reduce early retirees' benefits.

Title IV: Further Continuing Appropriations.—Amends Federal law to prohibit the use of Federal funds for abortions except where the life of the mother would be endangered if the fetus were carried to term. Declares that the States remain free not to fund abortions to the extent that they in their sole discretion deem appropriate.

Measure signed in Senate and signed by the President on June 5, 1981 and became Public Law No. 97-12.

The Senate agreed to the following amendments:

S. Amdt. No. 56, to add $20,000,000 for a binary chemical munitions production facility and to reduce the Operation and Maintenance appropriation for the Army by $20,000,000, sponsored by Mr. Warner, joined by Mr. Nunn; Mr. Tower; Mr. Hollings; Mr. Thurmond; Mr. Cannon; Mr. Denton; Mr. Johnston; Mr. Heflin; Mr. Armstrong; Mr. Exon, and Mr. Goldwater.

S. Up. Amdt. No. 113, to provide that Congress shall not precipitously and unfairly reduce early retirees' benefits, and that Congress will enact reforms necessary to insure the short-term and long-term solvency of the Social Security system, but will not support reduction in benefits which exceed those necessary to achieve a financially sound system and the well-being of all retired Americans, sponsored by Mr. Dole joined by Mr. Cohen; Mr. Armstrong; Mr. Roth; Mr. Heinz; Mr. Warner; Mr. Chafee; Mr. Abdnor; Mr. Mattingly; Mr. Rudman; Mr. Thurmond; Mr. Percy; Mr. Specter; Mr. Gorton; Mr. Domenici; Mr. Durenberger; Mr. Danforth; Mr. Byrd of West Virginia; Mr. Chiles; Mr. Hayakawa; Mr. Symms; Mr. Eagleton; Mr. Randolph; Mr. Exon; Mr. Moynihan; Mr. Bentsen; Mr. Sasser; Mr. Biden; Mr. Mitchell; Mr. DeConcini; Mr. Cochran; Mrs. Hawkins; Mr. Humphrey, and Mr. Boschwitz.

S. Up. Amdt. No. 114, to provide funds for the payment of pilot continuation bonuses and to provide a corresponding reduction in appropriations for operation and maintenance, sponsored by Mr. Hollings joined by Mr. Thurmond; Mr. Randolph; Mr. Chafee; Mr. Goldwater; Mr. Biden, and Mr. Chiles.

S. Up. Amdt. No. 115, to provide funds for advance procurement and research and development for the reactivation of two battleships, sponsored by Mr. Tower joined by Mr. Thurmond; Mr. Heinz, and Mr. Hollings.

S. Up. Amdt. No. 118, providing for additional funding for VA Readjustment Benefits as per request, sponsored by Mr. Garn.

S. Up. Amdt. No. 119, prohibiting annual leave in the course of official travel by Federal employees, sponsored by Mr. Proxmire.

S. Up. Amdt. No. 120, to make technical amendments, sponsored by Mr. Hatfield.

S. Up. Amdt. No. 121, sponsored by Mr. Thurmond joined by Mr. Cranston; Mr. Randolph; Mr. Matsunaga; Mr. DeConcini; Mr. Mitchell; Mr. Stafford; Mr. Simpson, and Mr. Denton.

S. Up. Amdt. No. 122, to provide for additional appropriations for energy supply research and development and energy conservation, sponsored by Mr. Glenn.

S. Up. Amdt. No. 124, making funds available for the lease of 200 units of housing to be constructed at Chinle, Arizona, for the Chinle Hospital and at Inscription House, Arizona, for the Inscription House Health Center, sponsored by Mr. DeConcini.

S. Up. Amdt. No. 127, providing $7,563,000 in additional funds for salaries and expenses for the Bureau of Government Financial Operations, sponsored by Mr. Abdnor.

S. Up. Amdt. No. 128, to provide additional funds for the Child Nutrition Program and the Food Stamps Program along with certain restrictions on the availability of funds, sponsored by Mr. Abdnor.

Statement of Purpose:

H.J. Res. 288, corrects Public Law 97-12 due to an error in the enrollment of H.R. 3512

Measure signed in the Senate on June 17, 1981 and signed by the President on June 29, 1981 and became Public Law No. 97-17.

H.J. Res. 308, makes an urgent supplemental appropriations for the Department of Health and Human Services for the fiscal year ending September 30, 1981

Measure signed in Senate on July 27, 1981 and signed by the President on July 29, 1981 and became Public Law No. 97-26.

FISCAL 1982

H.J. Res. 325, makes continuing appropriations for the fiscal year 1982, and for other purposes

Appropriates such amounts as may be necessary in fiscal year 1982 to continue Federal activities for which specified appropriations Acts will not have been enacted prior to September 30, 1981. Funds such activities in the same manner and amounts provided for in such Acts. States that if the Senate and the House of Representatives have both passed appropriations for an activity but in differing amounts, the lesser amount or more restrictive authority shall apply in the continuing appropriations. Declares that if an appropriations Act has passed only one House or if an activity has been funded in only one version of an Act passed by both Houses, the continuing appropriations shall not exceed the rate provided by the one House or the current rate, whichever is lower.

Provides continuing appropriations for activities conducted in fiscal year 1981, at the current rate or the rate of the budget estimate, whichever is lower and provided in: (1) Department of Defense Appropriation Act, 1981; and (2) Public Law 96-536 regarding foreign assistance and related programs.

Continues appropriations for the Legislative Branch at the rate provided in H.R. 4120 as reported July 9, 1981.

Appropriates such sums as may be necessary to continue the activities of the Department of State for contributions to the United Nations Relief and Works Agency for Palestinian Refugees which were conducted in fiscal year 1981 at a rate for operations not in excess of the current rate.

Declares that the appropriations contained in this resolution shall remain available for expenditure until: (1) enactment of the applicable appropriations Act without any provision for such activity; or (2) November 1, 1981, whichever occurs first.

Authorizes the use of appropriations contained in this resolution without regard to the time limitations for submission and approval of apportionments required by law.

Prohibits the use of appropriations to initiate or resume any activity for which funds were not available in fiscal year 1981.

Authorizes the apportionment of appropriated funds on a deficiency basis indicating the need for a supplemental appropriation to the extent necessary to permit payment of pay increases granted pursuant to law.

Authorizes the Secretary of Agriculture to exercise the emergency authorities provided for in H.R. 4119 as passed by the House of Representatives on July 27, 1981, in connection with the program of the Animal and Plant Health Inspection Service.

Reported by the Senate Committee on Appropriations.

The Senate agreed to the following amendments:

S. Up. Amdt. No. 420, relating to away from home living expenses of Members of Congress, sponsored by Mr. Stevens.

S. Up. Amdt. No. 421, to provide that, except for funds that would be available under H.R. 4121, entitled Treasury, Postal Service and General Government Appropriations Act, 1982, funds for the Government payment for annuitants, employees' health benefits shall be available under the authority and conditions in H.R. 4121 as reported to the Senate, sponsored by Mr. Stevens.

S. Up. Amdt. No. 422, to impose certain limitations on the "pay cap", sponsored by Mr. Stevens joined by Mr. Chafee, and Mr. Warner.

S. Up. Amdt. No. 423, to provide for the United States' contribution to the Multinational Force and Observers, sponsored by Mr. Kasten.

S. Up. Amdt. No. 424, of a technical nature, sponsored by Mr. Mathias joined by Mr. Ford.

S. Up. Amdt. No. 426, to provide such amounts as may be authorized for EPA Wastewater Construction Grants not exceeding $2,400,000 for fiscal year 1982, sponsored by Mr. Garn joined by Mr. Chafee.

S. Up. Amdt. No. 430, placing a "CAP" on Senate staff and prohibiting any more Senate Office Buildings, sponsored by Mr. Proxmire joined by Mr. DeConcini, and Mr. Sasser.

S. Up. Amdt. No. 431, of a technical nature, sponsored [illegible] Mr. Hatfield.

Measure signed in Senate and signed by the President on October 1, 1981 and became Public Law No. 97-51.

H.J. Res. 357

Appropriates such amounts as may be necessary in fiscal year 1982 for projects or activities for which appropriations, funds or other authority would be available in specified appropriations Acts. Funds such activities to the extent and in the manner which would be provided by the pertinent appropriation Act. States that if the Senate and the House of Representatives have both passed appropriations for an activity but in differing amounts, the lesser amount or more restrictive authority shall apply in the continuing appropriations. States that where an activity is included in only one version of an Act as passed by both Houses the pertinent project or activity shall be continued under the appropriation, fund, or authority granted by the one House, but at a rate for operations of the current rate or the rate permitted by the one House, whichever is lower. Declares that if an appropriation Act has been reported to a House but not passed by that House as of October 1, 1981, it shall be deemed as having passed by that House.

Deems the Department of Labor, Health and Human Services, and Education, and Related Agencies Appropriation Act, 1982, as having passed the House as of October 1, 1981.

Declares that funds which would be available under the Treasury, Postal Service and General Government Appropriation Act, 1982, for the Government payment of annuitants and employees health benefits, shall be available under the authority and conditions set forth in such Act as reported to the Senate on September 22, 1981.

Declares that whenever an appropriation Act has been passed by only one House as of October 1, 1981, the pertinent project or activity shall be continued under the appropriation granted by the one House, but at a rate for operations of the current rate or the rate permitted by the one House, whichever is lower.

Declares that no provisions which is included in an appropriation Act enumerated in this Act but which was not included in the applicable appropriation Act of 1981, and which is applicable to more than one appropriation shall be applicable to any appropriation unless such provisions shall have been included in identical form in such bill as enacted by both the House and the Senate.

Provides continuing appropriations for activities conducted in fiscal year 1981, at the current rate or the rate of the budget estimate, whichever is lower and provided in: (1) Public Law 96-536 regarding foreign assistance and related programs; and (2) Department of Defense Appropriation Act, 1981.

Provides continuing appropriations as necessary for projects or activities at a rate for operations and to the extent and manner as provided for in the following Act (1) The Energy and Water Development Appropriations Act as passed the House of Representatives on July 24, 1981; (2) the Military Construction Appropriation Act, 1982 as passed the House on September 16, 1981; (3) the Department of Housing and Urban Development—Independent Agencies Appropriation Act, 1982 as filed in the House on September 11, 1981; (4) the Department of Interior and Related Agencies Appropriation Act, 1982, as filed in the House on November 5, 1981; and (5) the Agriculture, Rural Development, and Related Agencies Appropriation Act, 1982, as filed in the House on November 4, 1981.

Appropriates such sums as may be necessary to continue the activities of the Department of State for contributions to the United Nations Relief and Works Agency for Palestinian Refugees which were conducted in fiscal year 1981 at a rate for operations not in excess of the current rate.

Appropriates such sums as necessary for the operation, improvement, transfer, and closure of Public Health Service hospitals and clinics at a rate not in excess of the budget estimate.

Declares that specified provisions of the Legislative Branch Appropriation Act, 1982, shall apply to any appropriation, fund, or authority made available for the period October 1, 1981 through September 30, 1982, by this or any other Act.

Declares that appropriations and funds made available and authority granted pursuant to this joint resolution; or (2) enactment of the applicable appropriation Act by both Houses without any provision for such project or activity; or (3) September 30, 1982, whichever first occurs.

Declares that appropriations made and authority granted pursuant to this joint resolution shall cover all obligations or expenditures for any project or activity.

Makes all expenditures made pursuant to this joint resolution chargeable to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriations is contained is enacted into law.

Ratifies and confirms all obligations incurred in anticipation of the appropriations and authority provided in this joint resolution for the purposes of maintaining the minimum level of essential activities necessary to protect life and property and bring about orderly termination of other functions.

Declares that no provision in any appropriation Act for fiscal year 1982 that makes the availability of any appropriation provided therein dependent upon the enactment of additional authorizing or other legislation shall be effective before September 30, 1982.

The Senate agreed to the following amendments:

S. Amdt. No. 635, to prohibit the obligation or expenditure of funds for the detention of certain aliens at facilities in the State of Florida, sponsored by Mrs. Hawkins joined by Mr. Chiles.

S. Up. Amdt. No. 654, to amend the Foreign Assistance and Related Programs Appropriations Provision to reflect Senate action November 17, 1981, sponsored by Mr. Kasten.

S. Up. Amdt. No. 655, of a technical nature, sponsored by Mr. Hatfield.

S. Up. Amdt. No. 657, to provide additional traditions for Pell Grants, sponsored by Mr. Stafford.

S. Up. Amdt. No. 661, to authorize the Attorney General to acquire and exchange certain information relating to deceased individuals and missing children, sponsored by Mrs. Hawkins.

S. Up. Amdt. No. 663, technical correction in the contract authority amount available for HUD's Assisted Housing Program, sponsored by Mr. Garn.

S. Up. Amdt. No. 664, relating to the "pay cap" on Federal salaries, sponsored by Mr. Stevens joined by Mr. Warner.

S. Up. Amdt. No. 666, providing that, for each fiscal year (beginning with the fiscal year which ends September 30, 1982), the Secretary of the Senate is authorized to expend from the contigent fund of the Senate such amount as may be necessary to enable the Secretary to obtain from the General Services Administration the services of a professional archivist; and that such services shall be obtained on a reimbursable basis and shall not be obtained except with the consent of the General Services Administration and the Committee on Rules and Administration, sponsored by Mr. Stevens.

S. Up. Amdt. No. 667, to eliminate language prohibiting funds to implement and enforce a Civil Aeronautics Board ruling that U.S. airlines do not get antitrust immunity to be members of an international cartel for price-fixing on North Atlantic routes, sponsored by Mr. Cannon.

S. Up. Amdt. No. 668, to appropriate $60,000,000 for the reconstruction, resurfacing, restoration, or rehabilitation of the Woodrow Wilson Bridge, sponsored by Mr. Mathias joined by Mr. Sarbanes; Mr. Warner, and Mr. Byrd of Virginia.

S. Up. Amdt. No. 669, to increase the appropriations for State grants for Education of the Handicapped Act, sponsored by Mr. Weicker, joined by Mr. Stafford; Mr. Hatch; Mr. Riegle; Mr. Kennedy; Mr. Randolph; Mr. Williams; Mr. Jackson; Mr. Pell; Mr. Huddleston; Mr. Levin; Mr. Baucus; Mr. Leahy, and Mr. Cranston.

S. Up. Amdt. No. 670, to increase the appropriation for States under section 100(b)(1) of the Rehabilitation Act of 1973, sponsored by Mr. Weicker joined by Mr. Stafford; Mr. Hatch; Mr. Riegle; Mr. Kennedy; Mr. Randolph; Mr. Williams; Mr. Pell; Mr. Huddleston; Mr. Levin; Mr. Baucus; Mr. Leahy; Mr. Cranston, and Mr. Thurmond.

S. Up. Amdt. No. 672, to increase the appropriations for the Dual Benefits Payments Account under the Railroad Retirement Act of 1974, sponsored by Mr. Metzenbaum joined by Mr. Roth; Mr. Sarbanes; Mr. Kennedy; Mr. Pryor; Mr. Burdick; Mr. Williams; Mr. Riegle; Mr. Bradley; Mr. Melcher; Mr. Pell; Mr. Hatch, and Mr. Moynihan.

S. Up. Amdt. No. 674, to assure that funds made available for the Low-Income Home Energy Assistance program are specifically used to make payments in accordance with section 2695(B) (1) and (2) of the Omnibus Budget Reconciliation Act of 1981, sponsored by Mr. Hayakawa.

S. Up. Amdt. No. 675, to eliminate funds for MSHA coverage of independent construction contractors on surface of mine sites and of state and county governments, sponsored by Mr. Melcher.

S. Up. Amdt. No. 676, to provide that provisions relating to payment for ineffective drugs contained in H.R. 4560 shall be incorporated into the continuing resolution only for the period ending December 31, 1981, sponsored by Mr. Durenberger joined by Mr. Baucus.

S. Up. Amdt. No. 679, making further continuing appropriations for the fiscal year 1982, and for other purposes, sponsored by Mr. Kennedy.

S. Up. Amdt. No. 680, to appropriate the sum of $362 million for the Maternal and Child Health Care Block Grant Act, sponsored by Mr. Bumpers, joined by Mr. Pryor; Mr. Chafee; Mr. Sarbanes; Mr. Pell; Mr. Kennedy; Mr. Levin, and Mr. Cranston.

S. Up. Amdt. No. 681, to provide funds for health planning activities, health promotion and disease prevention activities, and for activities under the Developmental Disabilities Assistance and Bill of Rights Act of 1981, sponsored by Mr. Hatch joined by Mr. Randolph; Mr. Kennedy; Mr. Weicker; Mr. Chiles; Mr. Riegle; Mr. Cranston; Mr. Stafford, and Mr. Williams.

S. Up. Amdt. No. 683, to provide $98,560,000 for training, job search, and relocation allowances under the Trade Act of 1974, sponsored by Mr. Danforth joined by Mr. Moynihan; Mr. Roth; Mr. Bradley; Mr. Heinz; Mr. Mitchell; Mr. Specter; Mr. Eagleton; Mr. Packwood; Mr. Bentsen; Mr. Riegle, and Mr. Kennedy.

S. Up. Amdt. No. 684, to increase the amount of appropriation available to Title IV-B of the Comprehensive Employment and Training Act, sponsored by Mr. Hatch joined by Mr. Quayle, and Mrs. Hawkins.

S. Up. Amdt. No. 685, to provide operational responsibility differential pay for employees of the Federal Aviation Administration, sponsored by Mr. Andrews.

S. Up. Amdt. No. 689, to reduce the total funds appropriated or otherwise made available by the joint resolution with certain exclusions, by four per centum, sponsored by Mr. Baker.

S. Up. Amdt. No. 690, to provide that notwithstanding any other provision of the joint resolution, it shall expire on March 30, 1982, sponsored by Mr. Byrd of West Virginia joined by Mr. Levin; Mr. Proxmire; Mr. Cranston; Mr. DeConcini; Mr. Pryor; Mr. Exon; Mr. Metzenbaum; Mr. Moynihan; Mr. Cannon, and Mr. Randolph.

S. Up. Amdt. No. 691, deleting the Foreign Assistance and Related Programs Appropriations Act, 1982, sponsored by Mr. Proxmire joined by Mr. Randolph, and Mr. Byrd of West Virginia.

S. Up. Amdt. No. 692, to exempt law enforcement activities from further budget reductions, sponsored by Mr. Chiles joined by Mr. Baker; Mr. Bentsen; Mr. Byrd of West Virginia; Mr. Randolph; Mr. Sasser; Mr. DeConcini; Mr. Mattingly, and Mr. Nunn.

S. Up. Amdt. No. 695, to require department and agency heads to meet the funding levels for guarantees and insurance provided for in this joint resolution, subject only to the absence of qualified applicants, sponsored by Mr. Levin.

S. Up. Amdt. No. 697, to conform section 280A to section 162(a) of the Internal Revenue Code, sponsored by Mr. Stevens.

S. Up. Amdt. No. 698, changes the amount available for FEMA in accordance with most recent budget request (no net impact on budget authority), sponsored by Mr. Garn.

S. Up. Amdt. No. 699, providing emergency relief for highways damaged by the eruption of Mount St. Helens volcano, sponsored by Mr. Gorton joined by Mr. Jackson.

S. Up. Amdt. No. 700, to prevent Federal judges from receiving again a pay raise nothwithstanding the contrary intent of Congress, sponsored by Mr. Dole.

S. Up. Amdt. No. 701, substitute amendment relating to the application of Revenue Ruling 81-216 and certain other regulations, sponsored by Mr. Dole joined by Mr. D'Amato; Mr. Stevens; Mr. Weicker; Mr. Metzenbaum; Mr. Bradley; Mr. Moynihan; Mr. Dixon, and Mr. Roth.

S. Up. Amdt. No. 703, of a technical nature, sponsored by Mr. Hatfield.

Reported by the Senate Committee on Appropriations.

H.J. Res. 368, makes further continuing appropriations for fiscal year 1982

Measure signed in Senate, November 23, 1981.

H.J. Res. 370, Further Continuing Appropriations, 1982

Passed Senate on December 11, 1981.

HOUSE-PASSED REGULAR APPROPRIATIONS FOR FISCAL YEAR 1982

H.R. 4034, Department of Housing and Urban Development-Independent Agencies Appropriation Act, 1982

Title I: Department of Housing and Urban Development.—Makes appropriations to the Department of Housing and Urban Development (HUD) for fiscal year 1982 for: (1) housing programs for housing payments, low-income housing projects, the troubled projects operating subsidy, housing counseling assistance, the Special Risk Insurance Fund, and the General Insurance Fund; (2) the Government National Mortgage Association (GNMA) for participation sales insufficiencies; (3) community planning and development for local community and economic development programs; (4) the

New Community Development Corporation for the New Communities Fund; (5) policy development and research for research and technology; (6) fair housing and equal opportunity for fair housing assistance; and (7) management and administration for salaries and expenses (including transfer of funds) and the working capital fund.

Increases the aggregate amount authorized for contracts for annual contributions for assisted housing. Requires the Secretary of HUD to transfer a specified portion of funds provided for public housing construction to payments for the operation of low-income housing projects.

Rescinds a specified portion of the funds appropriated for rent supplements.

Authorizes obligations on the part of: (1) the Housing for the Elderly or Handicapped Fund; (2) loans for low-rent public housing; (3) nonprofit sponsor assistance; (4) the GNMA Special Assistance Functions Fund for emergency mortgage purchase assistance and guarantees of mortgage-backed securities; (5) the rehabilitation loan fund; and (6) urban renewal programs.

Limits the amount of funds that may be authorized for temporary mortgage assistance payments during fiscal year 1982.

Title II: Independent Agencies.—Makes appropriations for fiscal year 1982 to the: (1) American Battle Monuments Commission for salaries and expenses; (2) Consumer Product Safety Commission for salaries and expenses; (3) Department of Defense-Civil for Army cemetery expenses; (4) Environmental Protection Agency (EPA) for salaries and expenses, research and development abatement, control and compliance activities, buildings and facilities, the Hazardous Substance Response Trust Fund, and necessary expenses to carry out the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, and construction grants; (5) Executive Office of the President for the Council on Environmental Quality, Office of Environmental Quality, and Office of Science and Technology Policy; (6) Federal Emergency Management Agency (FEMA) for disaster relief, salaries and expenses, State and local assistance, and emergency planning and assistance; (7) General Services Administration for the Consumer Information Center; (8) Department of Health and Human Services for the Office of Consumer Affairs; (9) National Aeronautics and Space Administration for research and development, the construction of facilities, and research and program management; (10) National Credit Union Administration for the Central Liquidity Facility; (11) National Institute of Building Sciences for salaries and expenses; (12) National Science Foundation for research, scientific education, and overseas scientific activities (special foreign currency program); (13) Neighborhood Reinvestment Corporation; (14) Selective Service System for salaries and expenses; (15) Department of the Treasury for the State and Local Government Fiscal Assistance Trust Fund, Office of Revenue Sharing expenses, and the New York City loan guarantee program; and (16) Veterans' Administration for compensation and pensions, readjustment benefits, veterans insurance and indemnities, medical care, medical and prosthetic research, medical administration and miscellaneous expenses, general operating expenses, and construction of major and minor projects, garage and parking facilities, and State extended care facilities.

Prohibits the National Consumer Cooperative Bank from making any new commitments for loans or guarantees or issuing obligations to obtain funds during 1982.

Disapproves a specified amount of the proposed budget deferral, D81-98, relating to the construction of major projects of the Veterans Administration, Authorizes obligations on the part of the Loan Guaranty Revolving Fund, Direct Loan Revolving Fund, Service-Loan Fund, Vocational Rehabilitation Revolving Fund, National Service Life Insurance Fund, U.S. Government Life Insurance Fund, and Veterans Special Life Insurance Fund.

Permits the transfer of funds appropriated to the Veterans Administration in specified circumstances. Limits the use of appropriations for purchasing any site or constructing any new hospital or home. Requires reimbursement if any persons, other than eligible beneficiaries, are hospitalized or examined at veterans facilities.

Title III: Corporation.—Authorizes corporations and agencies of HUD and the Federal Home Loan Bank Board to make commitments without regard to fiscal year limitations unless otherwise limited. Limits new loan or mortgage purchase commitments to the extent expressly provided in this Act with specified exceptions. Makes appropriations for fiscal year 1982 to the Federal Home Loan Bank Board for administrative expenses of the Board and the Federal Savings and Loan Insurance Corporation (FSLIC). Sets specified limitations on such expenses. Authorizes necessary obligations on the part of the FSLIC Fund.

Title IV: General Provisions.—Limits travel expense expenditures to the amounts set forth in the budget estimate, with specified exceptions. Permits the use of appropriations of HUD and the Selective Service System for: (1) uniforms; (2) the hire of passenger vehicles; and (3) the employment of experts and consultants. Allows the use of HUD funds to pay for legal services and services and facilities provided by specified agencies.

Prohibits the use of appropriated funds, with specified exceptions: (1) beyond the current fiscal year; (2) without a voucher describing the payees and services or specific statutory authorization; (3) for transportation between the domicile and place of employment of any officer or employee; (4) for payments to recipients that do not share in the cost of conducting research not specifically solicited by the Government; (5) for consultants paid in excess of the rate paid for GS-18; (6) for compensation of non-Federal parties intervening in regulatory or adjudicatory proceedings; and (7) to pay for employee travel involving the taking of annual leave while away from the official duty station.

Limits expenditures for consulting services to contracts which are a matter of public record and included in a publicly available list of: (1) contracts entered into within the past two years; and (2) contracts on which performance has not been completed.

Prohibits any Executive agency from expending appropriations under this Act for a contract for services unless the agency: (1) complies with the Office of Procurement Policy Act; and (2) requires reports prepared pursuant to such contract to disclose information about the contract and the contractor.

The Senate agreed to the following amendments:

S. Up. Amdt. No. 334, correcting a clerical error, sponsored by Mr. Garn.

S. Up. Amdt. No. 336, to disapprove Deferral No. D81098 with respect to the construction of a research and education building at the Long Beach Veterans' Administration Medical Center, sponsored by Mr. Cranston.

S. Up. Amdt. No. 337, relating to vacant unit subsidies, sponsored by Mr. Armstrong.

S. Up. Amdt. No. 338, to prohibit the use of funds for the development of techniques used to analyze extraterrestrial radio signals, sponsored by Mr. Proxmire.

S. Up. Amdt. No. 339, to provide an appropriation of $10,000,000 for the congregate housing services program, sponsored by Mr. Heinz joined by Mr. Chiles; Mr. Glenn; Mrs. Kassebaum; Mr. Cohen; Mr. Pryor; Mr. Grassley; Mr. Cranston; Mr. Packwood; Mr. Williams; Mr. Bradley; Mr. Tsongas; Mr. Burdick; Mr. Melcher; Mr. Durenberger; Mr. Percy; Mr. Byrd of West Virginia; Mr. Pressler; Mr. Levin; Mr. Riegle; Mr. Dodd; Mr. Sasser; Mr. Kennedy, and Mr. Bentsen.

S. Up. Amdt. No. 340, reduces amounts provided for HUD Troubled Projects to conform to reconciliation agreement, sponsored by Mr. Garn.

S. Up. Amdt. No. 342, to increase funding for the Council on Environmental Quality, sponsored by Mr. Gorton.

S. Up. Amdt. No. 343, reduction of $500,000 in EPA's R&D Account, sponsored by Mr. Garn.

S. Up. Amdt. No. 704, to the House amendment to the Senate amendments. To make further reductions in keeping with the Administration's September budget, sponsored by Mr. Garn.

Reported by the Committee on Appropriations.

H.R. 4035, A bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1982, and for other purposes

Reported by the Senate Committee on Appropriations.

Title I: Department of the Interior.—Makes appropriations for fiscal year 1982 within the Department of the Interior for: (1) the Bureau of Land Management for management of lands and resources, acquisition, construction, and maintenance, payments in lieu of taxes, Oregon and California grant lands, range improvements, service charges, deposits, and forfeitures, and miscellaneous trust funds; (2) the Office of Water Policy for salaries and expenses; (3) the U.S. Fish and Wildlife Service for resource management, construction and anadromous fish, the Migratory Bird Conservation Account, and land acquisition; (4) the National Park Service for the operation of the National Park System, recreation and preservation programs, the Historic Preservation Fund, construction, land acquisition and State assistance, and the John F. Kennedy Center for the Performing Arts; (5) the Geological Survey for surveys, investigations, research, and exploration of the National Petroleum Reserve in Alaska; (6) the Burea of Mines for the conduct of inquiries, technological investigations and research of mines and minerals; (7) the Office of Surface Mining Reclamation and Enforcement for regulation and technology, and the Abandoned Mine Reclamation Fund; (8) the Bureau of Indian Affairs for the operation of Indian programs, construction, road construction, tribal trust funds, the Revolving Fund for Loans, and the Indian Loan Guaranty and Insurance Fund; (9) the Office of Territorial Affairs for administration and for the Trust Territory of the Pacific Islands; and (10) the Secretarial offices, including the Office of the Solicitor for salaries and expenses, the Office of the Secretary for departmental management, the Office of Construction Management, and the Office of the Inspector General.

Sets forth uses and limitations on appropriations made available by this title. Prohibits the use of such appropriations for: (1) the acquisition of lands for a certain wildlife program unauthorized by law; (2) reporting to the Congress on potential new areas of the National Park System; and (3) administrative expenses of a program that does not include the continued operation of the Office of Aircraft Services.

Title II: Related Agencies.—Makes appropriations for fiscal year 1982 for the Department of Agriculture for the Forest Service for forest research, State and private forestry, the National Forest System, construction and land acquisition, acquisition of environmentally sensitive lands in the Lake Tahoe Basin, acquisition of land for specified forests, acquisition of land to complete land exchanges, rangeland improvements, timber salvage sales, and miscellaneous trust funds. Prohibits the alteration of the appropriation structure for the Forest Service without the advance approval of the Congressional committees on Appropriations.

Makes appropriations for the Department of Energy for fossil energy research and development, naval petroleum and oil shale reserves, energy conservation, economic regulation, the strategic petroleum reserve, the Energy Information Administration, alternative fuels production, fossil energy construction, and petroleum acquisition and transportation.

Makes appropriations to the Department of Health and Human Services for the Health Services Administration for Indian health services and facilities.

Appropriates funds to the Department of Education for: (1) the Office of Elementary and Secondary Education for Indian education; (2) the Navajo and Hopi Relocation Commission for salaries and expenses; (3) the Smithsonian Institution for salaries and expenses; (4) the museum programs and related research; (5) construction and improvements at the National Zoological Park; (6) restoration and renovation of buildings owned or occupied by the Smithsonian Institution; (7) construction of a building for the Museum of African Art and a gallery for Eastern Art; (8) salaries and expenses of the National Gallery of Art; and (9) salaries and expenses of the Woodrow Wilson International Center for Scholars.

Makes appropriations for the National Foundation on the Arts and the Humanities for: (1) salaries and expenses and matching grants for the National Endowment for the Arts and the National Endowment for the Humanities; (2) the Institute of Museum Services; (3) salaries and expenses for the Commission on Fine Arts, the Advisory Council on Historic Preservation, the National Capital

Planning Commission, the Franklin Delano Roosevelt Memorial Commission, and the Pennsylvania Avenue Development Corporation for land acquisition, the development fund, and public development activities and projects; (4) the Federal Inspector for the Alaska Gas Pipeline for permitting and enforcement; and (5) the Holocaust Memorial Council. Sets forth the uses and limitations for appropriations made by this title.

Title III: General Provisions.—Limits procurement contracts obtained through appropriations made by this Act to those contracts where expenditures are a matter of public record. Prohibits the Secretaries of the Interior and Agriculture from using such funds for: (1) any sale of unprocessed timber from certain Federal lands which will be exported, or will be used as substitute timber from private lands which is exported by the first purchaser; and (2) leasing of oil and natural gas by noncompetitive bidding on public lands within the Shawnee National Forest, Illinois. Prohibits the use of such funds for any activity that tends to promote support or opposition to legislative proposals on which Congressional action is incomplete. Makes such funds unavailable for the implementation or enforcement of any rule requiring the use of steel shot in connection with hunting waterfowl unless the appropriate State agency approves of such rule.

Prohibits the use of such funds to implement any regulation which has been disapproved by resolution by the Congress.

Provides that none of the funds appropriated to any department or agency under this Act may be expended to provide personal servants to any officer or employee, or to purchase passenger automobiles with less than a specified mile-per-gallon average.

Limits funds derived from the Land and Water Conservation Fund to the extent that they do not exceed the budget authority and outlay limitations as set forth in a specified conference agreement adopted by the 97th Congress.

The Senate agreed to the following amendments:

S. Up. Amdt. No. 521, of a technical nature, sponsored by Mr. McClure.

S. Up. Amdt. No. 522, continuing the requirement for the operation of the Office of Aircraft Services and provide latitude in the transfer of OAS personnel and their responsibilities from the field to Washington, sponsored by Mr. McClure.

S. Up. Amdt. No. 523, to amend the section of the bill dealing with Indian Health Services, Department of Health and Human Services, sponsored by Mr. Andrews.

S. Up. Amdt. No. 524, of a technical nature, sponsored by Mr. McClure.

S. Up. Amdt. No. 525, of a technical and clarifying nature, sponsored by Mr. McClure.

S. Up. Amdt. No. 527, providing that no portion of any appropriation to the Bureau of Indian Affairs shall be available to resume elementary and secondary academic and residential education programs for Indian children at the Chilocco, Seneca or Fort Sill boarding schools in Oklahoma, or the Stewart boarding school in Nevada, sponsored by Mr. Nickles.

S. Up. Amdt. No. 530, to add certain funds to the Fish and Wildlife Service for the National Wildlife Refuge Fund, sponsored by Mr. Cochran joined by Mr. Durenberger; Mr. Pryor, and Mr. Nunn.

S. Up. Amdt. No. 532, providing that no more than $242,542,000 shall be obligated for the construction of forest roads by timber purchasers, sponsored by Mr. McClure.

S. Up. Amdt. No. 533, permitting the Secretary of Interior to reimburse a portion of expenses incurred by certain political jurisdictions for fiscal year 1981 Survey and Planning Grants, sponsored by Mr. Byrd of West Virginia joined by Mr. Sasser, and Mr. Randolph.

S. Up. Amdt. No. 536, to permit the Flathead Irrigation District, Montana, to use net power revenues for maintenance and operation, sponsored by Mr. Melcher.

S. Up. Amdt. No. 537, to provide assistance in preventing the destruction of an area of historical significance, sponsored by Mr. Johnston.

S. Up. Amdt. No. 539, to provide that of the funds deferred in the Supplemental Appropriations and Rescission Act, 1981, $135,000,000 shall be available for continuing design of the Solvent Refined Coal-I (SRC-I) demonstration facility (Project No. 78-2-D), sponsored by Mr. McClure.

S. Up. Amdt. No. 541, that funds for expenditure under the Act for contracts entered into pursuant to 16 U.S.C. 579(a) to provide fixed-wing air tanker services shall be transferred into the category of "Fighting Forest Fires," and with respect to subsequent fiscal years, the Forest Service budget shall include such amounts within such budget category or equivalent category as may be subsequently adopted, sponsored by Mr. Symms.

S. Amdt. No. 573, to restore funding for the building of the Menomilnee Indian Court House Complex, in Wisconsin, sponsored by Mr. Kasten joined by Mr. Proxmire.

Reported by the Senate Committee on Appropriations.

H.R. 4119, makes appropriations for Agriculture, Rural Development, and Related Agency programs for fiscal year 1982

Reported by the Senate Committeee on Appropriations.

The Senate agreed to the following amendments:

S. Up. Amdt. No. 551, to require that not less than $31,900,000 of the funds appropriated for the Foreign Agricultural Service be used for market development in foreign countries, sponsored by Mr. Baucus joined by Mr. Bentsen; Mr. Hayakawa, and Mr. Leahy.

S. Up. Amdt. No. 552, to increase the amount relating to forestry incentives program, sponsored by Mr. Heflin.

S. Up. Amdt. No. 553, to reduce the direct loan levels of insured community facility loans and insured water and sewer facility loans, sponsored by Mr. Domenici joined by Mr. Helms.

S. Up. Amdt. No. 554, technical amendments en bloc, sponsored by Mr. Cochran.

S. Up. Amdt. No. 555, to assure continuation of an effective job referral program under the food stamp program, sponsored by Mr. Cochran.

Passed Senate with amendments by Yea-Nay Vote. 69-15. Record Vote No. 345, October 30, 1981.

Senate requested a conference, October 30, 1981.

Conference Report 97-313 filed in House, November 4, 1981.

H.R. 4144, Energy and Water Development Appropriation Act, 1982

Title I: Department of Defense—Civil.—Appropriates specified sums for fiscal year 1982 for the Department of the Army for: (1) general investigations pertaining to river and harbor, flood control, shore protection, and related projects; (2) construction of such projects; (3) flood control work, including bank stabilization measures for the Yazoo Basin; (4) general operation and maintenance of existing river and harbor, flood control, and related works; (5) general administration in the Office of Engineers and offices of the Division Engineers, activities of the Board of Engineers for Rivers and Harbors and the Coastal Engineering Research Center, commercial statistics, and miscellaneous investigations; (6) construction, operation, and maintenance of outdoor recreation facilities, including collection of special recreation use fees; and (7) expenses of attendance at certain military meetings, uniforms and allowances, printing of survey reports authorized by law, official reception and representation expenses, and the purchase and hire of passenger motor vehicles (out of the revolving fund of the Corps of Engineers). Limits the total expenditures of the capital investment program of the Corps of Engineers' revolving fund to $130,000,000 in fiscal year 1982.

Modifies the project for the Cuyahoga River Basin, Ohio, to provide for relocation of utilities in the vicinity of the Cleveland Zoo at full Federal expense.

Makes funds available for: (1) emergency shore protection at Beverly Shores, Indiana; (2) dike construction at the lower and upper end of Lake Neark, Arkansas; (3) channel widening and bends easing at Grays Harbor, Washington; and (4) operation and maintenance of the Chicago Sanitary and Ship Canal portion of the Illinois waterway.

Specifies the discount rate for the Saginaw River project in Michigan.

Renames the Clayton Lake, which is part of the flood control project for the Clayton and Tuskahoma Reservoirs of the Kiamichi River in Oklahoma, Sardis Lake.

Title II: Department of the Interior.—Appropriates specified sums for fiscal year 1982 for the Bureau of Reclamation for: (1) engineering and economic investigations of Federal reclamation projects and studies of water conservation and development plans and activities; (2) construction and rehabilitation of projects and transfers to the upper Colorado River Basin Fund and Lower Colorado River Basin Development Fund; (3) operation and maintenance of reclamation projects and a soil and moisture conservation program on lands under the Bureau's jurisdiction; (4) loans to irrigation districts and other public agencies for construction of distribution systems on Federal reclamation projects and loans and grants to non-Federal agencies for such construction projects; and (5) general administration in the offices of the Commissioner and regional offices of the Bureau. Prohibits the determination of the final discharge point for the interceptor drain for the San Luis Unit in California until development of a plan to minimize any detrimental effect of the San Luis drainage waters. Prohibits the use of appropriated funds for construction or operation of facilities to prevent the waters of Lake Powell from entering any national monument.

Makes funds available for the Bureau for: (1) passenger motor vehicles and aircraft; (2) certain safety modifications for Bureau offices in Lakewood, Colorado; (3) payment of damage claims against the Bureau; (4) compensation of U.S. representatives in interstate compact negotiations and administration; (5) experts and consultants; (6) rewards for information on property violations; (7) operation and maintenance functions; (8) preparation and dissemination of useful information; and (9) studies of recreational uses of reservoir areas and investigation and recovery of archeological and paleontological remains in such areas.

Prohibits the use of funds appropriated for operation and maintenance for the benefit of lands in an irrigation district or lands owned by any member of a water users' organization or any individual if such district, organization, or individual is in arrears for more than 12 months in the payment of charges under a contract with the United States.

Makes the Department of the Interior appropriations in this title available for: (1) emergency reconstruction, replacement, or repair of aircraft, buildings, facilities, or equipment; (2) suppression or emergency prevention of forest or range fires; (3) operation of warehouses, garages, shops, and similar facilities; and (4) aircraft, passenger motor vehicles, reprints, telephone services in private residences in the field, dues for library membership in certain societies and associations.

Prohibits the use of funds appropriated for the McGee Creek project in Oklahoma for acquisition of subsurface or mineral rights.

Makes funds available to the Yuma Mesa Irrigation and Drainage District and the Unit B Irrigation and Drainage District, both in Arizona, for an additional regulatory pump and additional pumping capacity at the Yuma Mesa pumping plant and for Unit B's share of the cost of rehabilitation of existing motors at such plant.

Title III: Department of Energy.—Appropriates specified sums for fiscal year 1982 for operating expenses and plant and capital equipment expenses of the Department of Energy for: (1) energy supply, research and development activities and carrying out the West Valley Demonstration Project Act; (2) uranium supply and enrichment activities; (3) general science and research activities; (4) atomic energy defense activities; and (5) departmental administration. Makes funds available for Department of Energy salaries and expenses.

Appropriates funds for: (1) the Alaska Power Administration; (2) the Southeastern Power Administration; (3) the Southwestern Power Administration; (4) the Western Area Power Administration; and (5) the Emergency Fund of the Western Area Power Administration. Approves expenditures from the Bonneville Power Administration Fund for: (1) the purchase of one fixed wing aircraft for replacement only; (2) construction of Surprise Valley Area Service in California; and (3) official reception and representation expenses. Limits gross obligations for the principal amount of direct loans.

Appropriates funds for: (1) the Federal Energy Regulatory Commission; (2) the Geothermal Resources Development Fund; and (3) motor vehicles, aircraft, uniforms, and security guard services for the Department of Energy.

Prohibits and reprogramming of more than five percent of the funds appropriated for the current fiscal year for energy supply research and devleopment activities, uranium supply and enrichment activities, general science and research activities, atomic energy defense activities, and departmental administration. Prohibits the increase or decrease of any such appropriation by more than five percent by such reprogramming.

Title IV: Independent Agencies.—Appropriates funds for fiscal year 1982 for: (1) salaries and expenses and the Federal share of expenses of Appalachian Regional Commission; (2) Appalachian Regional Development programs; (3) expenses of the U.S. member of the the Delaware River Basin Commission and payment of the U.S. share of current expenses of such Commission; (4) the U.S. share of expenses of the Interstate Commission on the Potomac River Basin; (5) salaries and expenses of the Nuclear Regulatory Commission; (6) expenses of the U.S. member of the Susquehanna River Basin Commission and the U.S. share of expenses of such Commission; (7) the Tennessee Valley Authority Fund; and (8) salaries and expenses of the Water Resources Council. Prohibits the use of funds appropriated for the Nuclear Regulatory Commission by this Act for: (1) the development of a comprehensive plan for the systematic safety evaluation of all currently operating utilization facilities licensed under the Atomic Energy Act of 1954; or (2) the implementation of enforcement of the uranium Mill Licensing Requirements. Prohibits the use of funds appropriated for the Water Resources Council by this Act for an Independent Project Review, expenses of River Basin Commissions, grants to States, or the Upper Mississippi Comprehensive Management Plan.

Title V: General Provisions.—Prohibits the obligation of any funds appropriated by this Act beyond the current fiscal year except as provided in this Act. Prohibits the use of any such funds to: (1) pay the expenses of parties intervening in regulatory or adjudicatory proceedings funded in this Act; (2) implement or enforce any regulation which has been disapproved pursuant to a resolution of disapproval by Congress; (3) provide personal servants to any officer or employee of any department or agency for which funds have been appropriated; or (4) purchase passenger automobiles with an EPA estimated miles per gallon average of less than 22 miles per gallon. Limits the use of any such funds for consulting services through procurement contract to contracts where such expenditures are a matter of public record.

The Senate agreed to the following amendments:

S. Up. Amdt. No. 574, adding $6,500,000 for work related to the upgrade of the L Reactor at Savannah River, and adding an additional $3,000,000 in operating funds for supporting services related to the startup and standby costs of production facilities, sponsored by Mr. Hatfield.

S. Up. Amdt. No. 576, to make available funds for the Upper Mississippi River Basin Commission necessary for the completion of a comprehensive master plan for the management of the Upper Mississippi River System, sponsored by Mr. Danforth.

S. Up. Amdt. No. 577, to prohibit the Department of Energy from obtaining plutonium for nuclear weapons purposes from commercial spent reactor fuel, sponsored by Mr. Hart.

S. Up. Amdt. No. 578, of a technical and clarifying nature, sponsored by Mr. Hatfield.

S. Up. Amdt. No. 579, providing that other provisions of law continue to be applicable to the Garrison Diversion Unit Project, sponsored by Mr. Durenberger.

S. Up. Amdt. No. 580, to express the intention of the Senate not to appropriate funds for improvement on a certain portion of the Black Warrior-Tombigbee Waterway after a certain date, sponsored by Mr. Levin.

S. Up. Amdt. No. 581, to provide that no funds may be used to construct channel realignment work on the Ouachita and Black Rivers navigation project until a restudy is done, sponsored by Mr. Pryor joined by Mr. Bumpers.

S. Up. Amdt. No. 583, to set funding for the Clinch River Breeder Reactor Project at $90,000,000 for fiscal year 1982, sponsored by Mr. Tsongas joined by Mr. Durenberger.

S. Up. Amdt. No. 590, to increase funds for critical atomic energy defense activities, sponsored by Mr. Tower.

S. Up. Amdt. No. 592, of a technical nature, sponsored by Mr. Domenici.

S. Up. Amdt. No. 593, to provide that appropriations shall be available for acquisition of land for the McGee Creek Project, Oklahoma, and for other purposes, sponsored by Mr. Boren.

Reported by the Senate Committee on Appropriations.
Measure signed in Senate November 22, 1981.
Signed by President December 4, 1981.
Became Public Law No. 97-88 December 4, 1981.

H.R. 4169, Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriation Act, 1982

Title I: Department of Commerce and Related Agencies—Department of Commerce and Related Agencies Appropriation Act 1982.—Appropriates funds for fiscal year 1982 for activities of the Department of Commerce and related agencies, including: (1) general administration; (2) the Bureau of the Census; (3) economic and statistical analysis; (4) the Economic Development Administration; (5) the International Trade Administration; (6) the Minority Business Development Agency; (7) the National Oceanic and Atmospheric Administration; (8) the Patent and Trademark Office; (9) the National Bureau of Standards and the National Technical Information Service; (10) the National Telecommunications and Information Service; and (11) the Maritime Administration.

Appropriates funds for fiscal year 1982 for: (1) administrative expenses of the Chrysler Corporation Loan Guarantee Program; (2) the Federal Communications Commission; (3) the Federal Maritime Commission; (4) the Federal Trade Commission; (5) the International Trade Commission; (6) the Marine Mammal Commission; (7) the Office of the United States Trade Representatives; (8) the Securities and Exchange Commission; (9) the Small Business Administration; and (10) the United States Metric Board.

Title II: Department of Justice and Related Agencies.—Department of Justice and Related Agencies Appropriation Act, 1982—Appropriates funds for fiscal year 1982 for activities of the Department of Justice and related agencies, including: (1) general administration; (2) the United States Parole Commission; (3) general legal activities; (4) the Antitrust Division; (5) the Foreign Claims Settlement Commission; (6) U.S. Attorneys, Marshals, and Trustees; (7) support of U.S. prisoners in non-Federal institutions; (8) fees and expenses of witnesses; (9) the Community Relations Service; (10) the Federal Bureau of Investigation; (11) the Immigration and Naturalization Service; (12) the Drug Enforcement Administration; (13) the Federal Prison System; and (14) law enforcement asssistance.

Appropriates funds for fiscal year 1982 for: (1) the Commission on Civil Rights; (2) the Equal Employment Opportunity Commission; and (3) the Legal Services Corporation.

Title III: Department of State and Related Agencies.—Department of State and Related Agencies Appropriation Act, 1982—Appropriates funds for fiscal year 1982 for activitites of the Department of State and related agencies, including: (1) administration of foreign affairs; (2) international organizations and conferences; (3) the Arms Control and Disarmament Agency; (4) the Board for International Broadcasting; (5) the Commission on Security and Cooperation in Europe; and (6) the International Communications Agency.

Title IV: The Judiciary.—Judiciary Appropriation Act, 1982—Appropriates funds for fiscal year 1982 for activities of the Judiciary, including: (1) the Supreme Court; (2) the Court of Customs and Patent Appeals; (3) the U.S. Court of International Trade; (4) the Court of Claims; (5) the Courts of Appeals and District Courts; (6) public defender services; (7) Bankruptcy Courts; (8) services for drug dependent offenders; (9) Administrative Office of the U.S. Courts; and (10) the Federal Judiciary Center.

Title V: General Provisions.—Sets forth general restrictions on funds appropriated by this Act.

The Senate agreed to the following amendments:

S. Up. Amdt. No. 604, technical amendment to change citation from the "Foreign Service Act of 1946, as amended" to the "Foreign Service Act of 1980", sponsored by Mr. Weicker.

S. Up. Amdt. No. 605, to provide $2,000,000 to the Federal Bureau of Investigation for Fingerprint Identification; $828,000 to the National Institute of Corrections for State and local training and to reduce the appropriation for the Department of State by $10,000,000, sponsored by Mr. Weicker joined by Mr. Hollings.

S. Up. Amdt. No. 606, providing, for the payment of claims and expenses to carry out the provisions of Section 7 of the Fishermen's Protective Act of 1967 (P.L. 90-482), as amended, there are appropriated not to exceed $1,800,000 from the fees collected from fishing vessel owners pursuant to Section 7 of that Act, to remain available until expended, sponsored by Mr. Stevens.

S. Up. Amdt. No. 607, to establish minimum levels for the Small Business Administration's Pollution Control Bond Guarantee program, sponsored by Mr. Hayakawa joined by Mr. Levin.

S. Up. Amdt. No. 608, to reduce funding for the Federal Trade Commission, sponsored by Mr. Kasten.

S. Up. Amdt. No. 609, to authorize the Attorney General to acquire and exchange information regarding certain deceased individuals and missing children, sponsored by Mrs. Hawkins joined by Mr. Abdnor; Mr. Andrews; Mr. Armstrong; Mr. Baker; Mr. Baucus; Mr. Boren; Mr. Boschwitz; Mr. Bumpers; Mr. Byrd of Virginia; Mr. Chiles; Mr. Cochran; Mr. Cohen; Mr. D'Amato; Mr. Danforth; Mr. DeConcini; Mr. Denton; Mr. Dole; Mr. Domenici; Mr. Durenberger; Mr. Eagleton; Mr. East; Mr. Exon; Mr. Garn; Mr. Gorton; Mr. Grassley; Mr. Hatch; Mr. Heflin; Mr. Helms; Mr. Hollings; Mr. Jepsen; Mrs. Kassebaum; Mr. Kasten; Mr. Laxalt; Mr. Lugar; Mr. Mathias; Mr. Matsunaga; Mr. Mattingly; Mr. Metzenbaum; Mr. Murkowski; Mr. Nickles; Mr. Packwood; Mr. Pell; Mr. Quayle; Mr. Randolph; Mr. Riegle; Mr. Roth; Mr. Rudman; Mr. Specter; Mr. Stafford; Mr. Stennis; Mr. Symms; Mr. Thurmond; Mr. Tower; Mr. Wallop; Mr. Williams; Mr. Heinz; Mr. Levin, and Mr. Ford.

S. Up. Amdt. No. 610, sponsored by Mr. Metzenbaum joined by Mr. Byrd of West Virginia; Mr. Kennedy; Mr. Danforth; Mr. Bumpers; Mr. Leahy; Mr. Baucus; Mr. Eagleton, and Mr. Proxmire.

S. Up. Amdt. No. 611, in the nature of a substitute, providing that it is the Sense of the Senate that the Department of Justice and the Federal Trade Commission seek actively and vigorously to enforce the antitrust laws, sponsored by Mr. Thurmond joined by Mr. Specter; Mr. Hatch; Mr. East; Mr. Gorton; Mr. Laxalt, and Mr. Weicker.

S. Up. Amdt. No. 612, to indicate an intent that funds shall be used for the preparation of recommendations for the exchange of computerized records, sponsored by Mr. Dole.

S. Up. Amdt. No. 613, providing that it is the Sense of the Senate that the President, in consultation with the Congress, develop an effective foreign policy to address expansion of the economic and political influence of the Soviet Union in the Caribbean region generally and in Cuba specially; and that in developing such a policy, that the President shall consider the full range of economic and diplomatic options with the nations of the region in order to promote stability, human rights and economic development for the people of the region, sponsored by Mr. Weicker joined by Mr. Inouye.

S. Up. Amdt. No. 614, to prevent the conversion of the Portland, Maine, Weather Service Forecast Office, sponsored by Mr. Cohen joined by Mr. Mitchell.

S. Up. Amdt. No. 615, providing for the development of recommendations to Congress by December 1, 1981, regarding the future of the Asia Foundation, sponsored by Mr. Hollings joined by Mr. Inouye.

S. Up. Amdt. No. 620, to prohibit the obligation or expenditure of funds for the detention or processing of certain aliens at facilities in the State of Florida, sponsored by Mrs. Hawkins.

S. Up. Amdt. No. 623, to provide funding of $473,557,000 for research related to immigration enforcement, of which not to exceed $400,000 shall remain available for such research until expended, and of which $36,821,000 shall remain available until expended for construction, sponsored by Mr. Weicker joined by Mr. Hollings.

S. Up. Amdt. No. 624, to prevent the conversion of the Cheyenne, Wyoming Weather Service Forecasting Office to a Weather Service Office, sponsored by Mr. Wallop.

S. Up. Amdt. No. 625, to express the sense of the Senate that the Secretar[illegible] State and the Attorney General each should provide, upon request, certain written information to members of the Committee on Appropriations of the Senate, sponsored by Mr. Huddleston.

S. Up. Amdt. No. 626, to prevent Federal judges from receiving again a pay raise notwithstanding the countrary intent of Congress, sponsored by Mr. Dole joined by Mrs. Hawkins.

S. Up. Amdt. No. 627, to end chemical and biological warfare, sponsored by Mr. Pressler.

S. Up. Amdt. No. 628, to delete $35,800.00 associated with the construction of the American Embassy in Riyadh, Saudi Arabia, sponsored by Mr. Thurmond.

S. Up. Amdt. No. 632, adding to the House language dealing with school prayer: "except that nothing in this Act shall be interpreted as the establishment of religion or prohibiting the free exercise thereof", sponsored by Mr. Weicker.

S. Up. Amdt. No. 633, stating that nothing in this provision shall be interpreted in derogation of the limitation on expenditures stated herein, sponsored by Mr. Helms.

S. Up. Amdt. No. 634, to express the sense of the Senate that academic exchange programs should not be reduced, sponsored by Mr. Weicker.

H.R. 4209, Department of Transportation and Related Agencies Appropriation Act, 1982

Title I: Department of Transportation.—Appropriates specified sums for the Department of Transportation and related agencies for fiscal year 1982. Lists the offices that shall receive such funds: (1) Office of the Secretary; (2) Coast Guard; (3) Federal Aviation Administration; (4) Federal Highway Administration; (5) National Highway Traffic Safety Administration; (6) Federal Railroad Administration; (7) Urban Mass Transportation Administration; (8) Saint Lawrence Seaway Development Corporation; (9) Research and Special Programs Administration; and (10) Office of the Inspector General.

Title II: Related Agencies.—Appropriates funds for the: (1) Architectural and Transportation Barriers Compliance Board; (2) National Transportation Safety Board; (3) Civil Aeronautics Board; (4) Interstate Commerce Commission; (5) Panama Canal Commission; (6) United States Railway Association; and (7) Washington Metropolitan Area Transit Authority.

Title III: General Provisions.—Declares that appropriations made by this Act shall be available for: (1) maintenance and operation of aircraft; (2) hire of passenger motor vehicles and aircraft; (3) purchase of liability insurance for motor vehicles operating in foreign countries on official business; and (4) uniforms or allowances therefor.

Limits, to specified sums, the appropriations available for: (1) grants-in-aid for airport planning, noise compatibility planning and programs, and development; (2) highway-related safety grants; (3) State and Community Highway Safety; (4) the Offshore Oil Pollution Compensation Fund; and (5) the Deepwater Port Liability Funds.

Permits funds appropriated for the Panama Canal Commission to be apportioned for salary increases for officers or employees as may be authorized by administrative action.

Restricts the use of certain appropriations for: (1) the Federal Aviation Administration; (2) experts and consultants; (3) mass transit facilities, equipment, or operating expenses; and (4) Federal-aid highways and highway safety construction programs.

Prohibits funds provided under this Act from being available for: (1) construction of an extension of the Dulles Airport access highway prior to a specified agreement with the Commonwealth of Virginia; (2) the Panama Canal Commission unless expended in conformance with the Panama Canal Treaties of 1977; (3) rail-highway crossings in Groton and Stonington, Connecticut; (4) the expenses of non-Federal parties intervening in regulatory or adjudicatory proceedings funded in this Act; and (5) mandatory State inspection fees or sticker requirements for vehicles that are lawfully registered in another State.

Requires each department or establishment to submit annually to the House and Senate Appropriations Committees the estimated amount of funds requested for consulting services.

Designates the weeks of June 13 through July 4, 1982, as National Clean-up and Flag-up America's Highways Weeks.

Reported by the Senate Committee on Appropriations.

The Senate agreed to the following amendments:

S. Up. Amdt. No. 570, of a technical nature, sponsored by Mr. Andrews.

S. Up. Amdt. No. 572, to clarify the term "Amtrak Commuter" as used in section 502(a)(1)(b) of the Rail Passengers Service Act, sponsored by Mr. Bradley.

Passed Senate with amendments by Yea-Nay Vote. 77-15. Record Vote No. 352, November 3, 1981.

Senate requested a conference, November 3, 1981.

Conference Report 97-331 filed in House, November 13, 1981.

H.R. 4241, Military Construction Appropriation Act, 1982

Appropriates funds for fiscal year 1982 for military construction for: (1) the Army; (2) the Navy; (3) the Air Force; (4) Defense Agencies; (5) the North Atlantic Treaty Organization (NATO) Infrastructure; (6) the Army National Guard; (7) the Air National Guard; (8) the Army Reserve; (9) the Naval Reserve; (10) the Air Force Reserve; (11) family housing for the Army, Navy, Marine Corps, Air Force, Defense agencies; and (12) the Homeowners Assistance Fund established by the Demonstration Cities and Metropolitan Development Act of 1966.

Prohibits the expenditure of funds under a cost-plus-a-fixed-fee contract for work without the approval of the Secretary of Defense, except as specified. Prohibits the use of funds for additional costs involved in expediting construction without the Secretary's certification of necessity. Prohibits the use of funds for the construction of specified facilities including bakeries and cleaning facilities unless such services are not obtainable commercially.

Permits the use of funds for the hire of passenger motor vehicles. Permits the use of funds for advances for the construction of access roads for projects certified by the Secretary as important to the national defense. Prohibits the use of funds for the construction of new bases without specific appropriations.

Prohibits the use of funds for the dredging of the Indian Ocean by foreign contractors. Prohibits the use of funds for the installation of solar energy systems in new facilities unless such systems are cost effective.

Prohibits the use of funds for the design of site-specific facilities for the missile system unless there is compliance with the National Environmental Policy Act. Prohibits the use of funds to pay real property taxes in any foreign nation. Prohibits the use of funds for the construction of facilities at a Naval hospital or medical center in San Diego, California unless the property is owned by the United States. Prohibits the use of funds to reimburse a contractor for the services of an illegal alien. Limits the use of funds for any consulting service through procurement contract. Permits the obligation of funds before the end of the fourth fiscal year after the fiscal year for which the funds were appropriated, as specified.

Reported by the Senate Committee on Appropriations.

The Senate agreed to the following amendments:

S. Up. Amdt. No. 757, providing an additional $1,860,000 for acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, and facilities for the Navy, sponsored by Mr. Jackson joined by Mr. Gorton.

S. Up. Amdt. No. 758, to add $23,000,000 for the construction of a Airborne Warning and Control System (AWACS) facility at Tinker Air Force Base, Oklahoma, sponsored by Mr. Nickles joined by Mr. Boren.

S. Up. Amdt. No. 759, to add 3.4 million dollars for construction of a Naval and Marine Reserve Center at Wheeling, West Virginia, sponsored by Mr. Byrd, of West Virginia.

Passed Senate with amendments by Voice Vote, December 4, 1981.

Senate requested a conference, December 4, 1981.

H.R. 4522, District of Columbia Appropriation Act, 1982

Appropriates specified sums out of the U.S. Treasury for the District of Columbia for fiscal year 1982 for: (1) the Federal payment to the District of Columbia; and (2) the Federal loan to the District for capital outlay.

Appropriates specified sums out of the District of Columbia general fund for fiscal year 1982 for: (1) governmental direction and support; (2) economic development and regulation; (3) public safety and justice; (4) public education; (5) human support services; (6) transportation services and assistance; (7) environmental services and supply; (8) pay increases for D.C. employees; (9) repayment of specified loans and interest; (10) elimination of the general fund deficit); (11) establishment of the contingent services fund; (12) capital outlay; (13) the Water and Sewer Enterprise Fund; and (14) the Washington Convention Center Enterprise Fund.

Sets forth general provisions covering spending limitation on the appropriations made by this Act.

Reported by the Senate Committee on Appropriations.

Measure signed in Senate on November 20, 1981 and signed by the President on December 4, 1981 and became Public Law No. 97-91.

H.R. 4559, Foreign Assistance and Related Programs Appropriations Act, 1982

Title I: Multilateral Economic Assistance Appropriates fiscal year 1982 funds to the President for the U.S. contributions to the: (1) Inter-American Development Bank; (2) International Bank for Reconstruction and Development; (3) International Finance Corporation; (4) International Development Association; (5) Asian Development Bank and the Asian Development Fund; (6) African Development Fund; and (7) International Fund for Agricultural Development. Specifies the maximum amount of callable capital stock to which the U.S. Governors of such Banks may subscribe. Appropriates a specified sum for the United Nations Environmental Fund and for other international organizations and programs.

Title II: Bilateral Economic Assistance.—Makes fiscal year 1982 appropriations to carry out the provisions of the Foreign Assistance Act of 1961 relating to: (1) agriculture, rural development, and nutrition; (2) voluntary population planning; (3) health programs; (4) education and human resources development (earmarking a specified amount for scholarships for South African students); (5) energy and selected development activities (earmarking a specified amount for resettlement services for refugees and displaced persons in Africa); (6) science and technology; (7) loan allocation (setting specified repayment periods based on a country's per capita gross national product); (8) American schools and hospitals abroad; (9) international disaster assistance; (10) the Sahel development program (earmarking a specified amount for the African Development Foundation); (11) payments to the Foreign Service Retirement and Disability Fund; (12) the Economic Support Fund (earmarking specified amounts to Egypt and to Israel and requiring congressional approval for obligating funds for the Special Requirements Fund); (13) peacekeeping operations; (14) the operating expenses of the Agency for International Development; (15) trade and development programs; and (16) international narcotics control.

Makes appropriations for fiscal year 1982 for the Inter-American Foundation and the Overseas Private Investment Corporation (OPIC) with limitations on OPIC's direct and guaranteed loans.

Appropriates fiscal year 1982 funds to ACTION for the Peace Corps.

Appropriates fiscal year 1982 funds to the Department of State for migration and refugee assistance (earmarking a specified sum for aiding displaced persons in El Salvador).

Title III: Military Assistance.—Appropriates fiscal year 1982 funds to the President for: (1) military assistance; (2) international military education and training; and (3) foreign military credit sales with limitations on the amounts of direct and guaranteed loans.

Title IV: Export-Import Bank of the United States.—Authorizes the Export-Import Bank to make expenditures without regard to fiscal year limitations, unless otherwise specified. Prohibits expenditures for nuclear exports to any country, other than a nuclear weapons State, that has detonated a nuclear explosive after enactment of this Act. Specified limitations on the amounts of direct and guaranteed loans and on administrative expenses and entertainment allowances.

Title V: General Provisions.—Prohibits the use of appropriated funds for: (1) financing construction of any water or related land resource development project which has not met specified standards; (2) pensions for persons who have served in the armed forces of any recipient country; (3) procurement contracts which do not permit termination for U.S. convenience; (4) dues of any member of the United Nations; (5) the transfer of appropriated funds among international landing organizations; (6) financing nuclear exports or providing nuclear training assistance to foreign nationals; (7) assisting countries to violate human rights; (8) assistance to Mozambique (unless it would further U.S. foreign policy interests), Angola, Cambodia, Cuba, Laos, Vietnam, oo3 Syria; (9) obligation under an appropriations account to which they were not appropriated without prior congressional approval; (10) unauthorized publicity purposes within the United States; (11) obligation beyond the current fiscal year unless otherwise permitted; (12) assistance to countries which are more than one year in default on loans payments to the United States; (13) international financial institutions which do not make available information concerning loans or documents to the U.S. representatives; (14) any government which aids or abets international terrorism; (15) assisting the production of commodities for export, if such commodities will likely be in surplus on world markets and will cause substantial injury to U.S. producers; and (16) the obligation of specified funds for programs not justified or in excess of the amount justified without prior congressional notification.

Limits the use of appropriated funds for: (1) obligation during the last month of availability; (2) official residence expenses, entertainment expenses, and representation allowances of the Agency for International Development; and (3) consulting services.

Directs the Secretary of the Treasury to instruct the U.S. executive directors of specified international financial institutions to oppose assistance for the production of export commodities in surplus on world markets and which will cause substantial injury to U.S. producers.

Passed Senate on December 11, 1981.

H.R. 4995, A bill making appropriations for the Department of Defense for the Fiscal Year ending September 30, 1982, and for other purposes

Passed Senate with amendments by Yea-Nay Vote. 84-5 December 4, 1981.

S. Up. Amdt. No. 713, striking the language prohibiting the obligation of funds to reimburse a contractor for the cost of commercial insurance that would protect against the costs of the contractor for correction of the contractor's own defect in materials or workmanship or against the costs of fortuitous or casualty losses resulting from such defects, sponsored by Mr. Stevens.

S. Up. Amdt. No. 714, to raise the limitation on the value of ammunition which may be issued from other funds available from $340,000 to $680,000, sponsored by Mr. Stevens.

S. Up. Amdt. No. 715, to correct a printing error inadvertently omitting italics to reflect the Senate amendment in Committee, sponsored by Mr. Stevens.

S. Up. Amdt. No. 716, to provide funds for research and development on the reactivation of the U.S.S. *Iowa*, Sponsored by Mr. Heinz joined by Mr. Hollings; Mr. Thurmond; Mr. Specter; Mr. Hayakawa; Mr. Bradley; Mr. Denton; Mr. Jepsen; Mr. Warner, and Mr. D'Amato.

S. Up. Amdt. No. 717, to delete section 779 dealing with the transfer of military equipment or data to a foreign country, sponsored by Mr. Percy joined by Mr. Nunn.

S. Up. Amdt. No. 718, to delete section 775 dealing with the Arms Export Control Act, sponsored by Mr. Percy joined by Mr. Nunn.

S. Up. Amdt. No. 719, to place a limit on the use of appropriations to pay for lobbying costs under Government contracts, sponsored by Mr. Pryor joined by Mr. Proxmire, and Mr. Cohen.

S. Up. Amdt. No. 721, sponsored by Mr. Hatfield.

S. Up. Amdt. No. 729, to add $4,000,000 for the field Artillery Ammunition Support Vehicle, sponsored by Mr. Specter.

S. Up. Amdt. No. 730, to limit the use of funds for MX basing, sponsored by Mr. Cohen joined by Mr. Quayle; Mr. Mattingly; Mr. Rudman, and Mr. Pressler.

S. Up. Amdt. No. 734, to limit the use of funds for MX basing, sponsored by Mr. Cohen joined by Mr. Nunn; Mr. Quayle; Mr. Rudman; Mr. Mattingly; Mr. Kasten, and Mr. D'Amato.

S. Up. Amdt. No. 738, providing that no sale of silver from the National Defense Stockpile under the authority of Public Law 97-35, or any other Act, shall occur until the President, not later than July 1, 1982, redetermines that the silver authorized for disposal is excess to the requirements of the stockpile, taking into consideration certain factors and other factors as the President considers relevant, sponsored by Mr. McClure joined by Mr. Jackson; Mr. Symms, and Mr. Cannon.

S. Up. Amdt. No. 739, providing that, so far as may be practicable, Indian labor shall be employed, and purchases of the products of Indian industry may be made in open market in the discretion of the Secretary of Defense, sponsored by Mr. Domenici.

S. Up. Amdt. No. 740, provide for certification and periodic reporting of the costs of the B-1B program, sponsored by Mr. Nunn joined by Mr. Burdick, and Mr. Rudman.

S. Up. Amdt. No. 741, sponsored by Mr. Stevens.

S. Up. Amdt. No. 745, to strike out a provision relating to payments and arrangements made under section 6 of the Act of September 30, 1950 (P.L. 81-874) as modified by section 505(c) of the Omnibus Budget Reconciliation Act of 1981, sponsored by Mr. Stafford joined by Mr. Roth, and Mr. Pell.

S. Up. Amdt. No. 750, to permit multi-year contracts for weapons systems with termination liabilities which do not exceed $100 million, sponsored by Mr. Tower joined by Mr. Weicker.

S. Up. Amdt. No. 751, a sense of the Senate resolution calling for Congressional study of the recommendations of the White House Conference on Aging, sponsored by Mr. Dole joined by Mr. Cohen; Mr. Heinz; Mr. Danforth; Mr. Mattingly; Mrs. Hawkins; Mr. Pressler; Mr. Roth; Mr. Gorton; Mr. Chafee; Mrs. Kassebaum; Mr. Kasten; Mr. Jepsen; Mr. Grassley; Mr. Percy; Mr. Symms; Mr. Hatch; Mr. Hatfield, and Mr. Cochran.

S. Up. Amdt. No. 754, to add funds to continue operation of B-52D bombers, sponsored by Mr. Levin joined by Mr. Hollings, and Mr. Nunn.

S. Up. Amdt. No. 756, requiring the Secretary of Defense to submit a five-year shipbuilding program annually when the President submits his budget message, sponsored by Mr. Byrd of West Virginia joined by Mr. Hart, and Mr. Mitchell.

BUDGET

S. Con. Res. 50, Second Concurrent Budget Resolution

Reaffirms the congressional budget for the United States Government for fiscal years 1982, 1983, 1984.

S. Amdt. No. 772, stating that it is the sense of the Senate that prompt Congressional action is required to bring down interest rates, to decrease unemployment, decrease inflation substantially, and to balance the budget by fiscal year 1984; and directing the Senate Budget Committee to take certain actions toward those ends, sponsored by Mr. Domenici.

Sponsored by Mr. Domenici, was reported by the Senate Committee on the Budget.

Passed Senate on December 9, 1981.

Amended, roll call No. 465 (49–48).

H.R. 3982, Omnibus Budget Reconciliation Act of 1981

Title I: House Committee on Agriculture.—Amends the Food Stamp Act of 1977 to set forth limitations on spending for the food stamp program through fiscal year 1985.

Reduces the authorization of appropriations through fiscal year 1984 for: (1) dairy and beekeeper indemnity programs; (2) payments to States and possessions for marketing activities; (3) rural water and waste disposal grants; (4) rural community fire protection grants; (5) rural development planning grants and rural development grants; (6) agricultural conservation programs; (7) forestry incentives program; (8) the water bank program; (9) the emergency conservation program; (10) the Soil Conservation Service; (11) the Rural Clean Water Program; (12) expenses under the Agricultural Trade Development and Assistance Act of 1954 (Public Law 4808—Food for Peace); (13) forest research by the Forest Service; (14) State and private forestry; (15) the National Forest System; and (16) construction and land acquisition by the Forest Service.

Reduces authorization for salaries and expenses of other programs of specified agencies, offices and functions of the Department of Agriculture.

Amends the Agricultural Act of 1949 to set forth the procedure for the determination of the milk price support (between 75 percent and 90 percent of parity) at the beginning of each of the 1982 through 1985 marketing years. Provides for semiannual adjustments in such supports for marketing years 1983 through 1985.

Amends the United States Grain Standards Act to require the Administrator of the Federal Grain Inspection Service to charge and collect reasonable inspection fees to cover the estimated cost of official inspection, except under certain circumstances (such costs are now shared or borne totally by the Federal Government). Prohibits the total administrative and supervisory costs for inspection and weighing, for each of the fiscal years 1982 through 1985, from exceeding 35 percent of the total costs for such activities. Authorizes appropriations as necessary for final years 1981 through 1985 for other specified activities related to grain inspection.

Directs the Secretary of Agriculture to establish an advisory committee to advise the Administrator of the Federal Grain Inspection Service with respect to the efficient and economical implementation of the United States Grain Standards Act of 1976.

Amends the United States Cotton Standards Act, the Cotton Statistics and Estimates Act, the Tobacco Inspection Act, and the United States Warehouse Act to require the collection of such fees and charges as will cover, as nearly as practicable, the costs of: (1) licensing cotton classifiers, establishing cotton standards and making classification services available to cotton producers; (2) performing tobacco inspections; and (3) inspecting warehouses and licensing inspectors and warehousemen. Repeals the Naval Stores Act with respect to the marketing of spirits of turpentine and resin.

Amends the Consolidated Farm and Rural Development Act to allow the Secretary of Agriculture to set interest rates on Farmers Home Administration loans for water and waste disposal and for community facilities as high as the current market yield for outstanding municipal obligations. Provides for up to a five percent interest rate for such projects in low-income communities. Limits the authorized insurable amount for such loans for fiscal year 1982.

Amends the Agricultural Act of 1949 to eliminate the existing waiver of interest on loans made on the 1980 and 1981 crops of wheat and feed grains placed in the farmer-held reserve.

Limits, for fiscal year 1982, the amount of Commodity Credit Corporation funds which can be made available for administrative expenses of such Corporation.

Title II: House Committee on Armed Services.—Authorizes the President to dispose of specified quantities of certain materials currently held in the National Defense Stockpile.

Amends the Strategic and Critical Materials Stock Piling Act to require, before any funds may be obligated or expended for acquisition of any material, transmittal of a complete statement of the proposed acquisition to the appropriate Congressional committees, which then must approve or disaprove within 30 days.

Provides for annual, instead of semiannual, cost-of-living increases for military retirees contingent upon a similar change in law with respect to the civil service retirement system.

Provides military retirees with an open enrollment period for opting to participate in the survivor benefit plan.

Title III: House Committee on Banking, Finance and Urban Affairs—Subtitle A: Housing and Community Development Amendments of 1981.—Reduces the authorization of appropriations in the Housing and Community Development Act of 1974 for community development grants, Urban Development Action Grants, and loan guarantees through fiscal year 1983.

Amends the Housing Act of 1964 and the Neighborhood Self-Help Development Act of 1978 to authorize appropriations for fiscal year 1982 for the rehabilitation loan program and the Neighborhood Self-Help Development program. Terminates the existing authorization for planning grants.

Amends the Housing and Community Development Act of 1974 with respect to the authorization of other specified community development programs for fiscal years 1982 and 1983.

Amends the United States Housing Act of 1977 to reduce the amount of budget authority in fiscal year 1982 for assisted housing programs and subsidized housing programs. Increases the maximum percentage of income a tenant in subsidized housing would be required to contribute, and allows the Department of Housing and Urban Development to determine what adjustments to income may be allowed in determining a tenant's contribution.

Prohibits the Secretary of Housing and Urban Development from committing more than 48 percent of low-income rental housing funds for existing housing, or more than 52 percent of such funds for newly constructed and substantially rehabilitated units.

Amends the Federal National Mortagage Association Charter Act to limit the aggregate amount of guarantee commitments the Government National Mortgage Association may make during fiscal year 1982. Requires the Association to sell a specified amount of tandem mortgages during fiscal year 1982.

Extends the authorization of the Solar Energy and Energy Conservation Bank through fiscal year 1984.

Directs the Government National Mortgage Association, in entering into commitments to purchase below-market, tandem plan mortgages (during the period beginning June 15, 1981, and ending October 1, 1982) to limit such commitments to multifamily projects with firm commitments for mortgage insurance under the National Housing Act.

Amends the National Flood Insurance Act of 1968 to extend the flood insurance program through fiscal year 1982. Prohibits provision of new flood insurance coverage for any new construction or substantial improvements of structures located on designated undeveloped coastal barriers.

Amends the National Housing Act to extend the crime and riot insurance program through fiscal year 1985.

Amends the National Housing Act of 1949 to extend the rural housing program through fiscal year 1982. Reduces the authorization for rental assistance. Extends the mutual and self-help housing program.

Subtitle B: International Development Banks.—Amends the Bretton Woods Agreements Act to authorize the United States Governor of the International Bank for Reconstruction and Development to increase the authorized capital stock of such Bank and to subscribe on behalf of the United States to a specified number of shares.

African Development Bank Act—Authorizes the President to accept membership for the United States in the African Development Bank. Directs the President to appoint a Governor and an Alternate Governor of such Bank. Provides for subscription of stock. Exempts securities issued by such Bank from the Securities Act of 1933 and the Securities Exchange Act of 1934.

Amends the Inter-American Development Bank Act and the Asian Development Bank Act to reduce contributions to such banks.

Directs the United States Executive Directors of the World Bank, the Asian Development Bank, and the Inter-American Development Bank to oppose any new extensions of assistance by those respective institutions to Afghanistan, Vietnam, or Cuba, unless specified conditions are met. Directs the United States Executive Directors of such Banks, along with the African Development Bank and the African Development Fund, to oppose any new extensions of assistance to any member country which imposes economic sanctions against the United States.

Requires the establishment of guidelines for the annual lending by such Banks so that priority is given to sound, efficient, productive, self-sustaining projects designed to benefit needy people in developing countries.

Amends the Export-Import Bank Act of 1945 to reduce the principal amount of direct loans made the Export-Import Bank in fiscal year 1982.

Subtitle C: Banking and Related Programs Authorization Adjustment Act.—Authorizes appropriations through fiscal year 1984 to the Department of the Treasury for the salaries and expenses of the office of the Secretary of the Treasury.

Directs the Secretary of the Treasury to transmit a report to Congress regarding the status of negotiations within the Organization of Economic Cooperation and Development on improving the International Arrangement on Guidelines for Officially Supported Export Credits and on the status of any other multilateral or bilateral negotiations or discussions.

Authorizes appropriations through fiscal year 1984 for the expenses and salaries of the Bureau of Government Financial Operations.

Extends the authorizations for administrative expenses under the New York City Loan Guarantee Act of 1978 and the Chrysler Corporation Loan Guarantee Act of 1979 through fiscal year 1984.

Amends the National Consumer Cooperative Bank Act to extend, with reduced authorizations, the National Consumer Cooperative Bank through fiscal year 1984.

Title IV: House Committee on the District of Columbia.—Amends the District of Columbia Self-Government and Governmental Reorganization Act to limit, through fiscal year 1984, the authorized levels of capital project loans to the District of Columbia.

Title V: House Committee on Education and Labor.—Omnibus Education and Labor Reconciliation Act of 1981—Reduces the amount of federal impact aid to school districts with high concentrations of federal employees (including military) for fiscal years 1982, 1983, and 1984. Prescribes formulae for the allocation of such aid.

Terminates or limits the authorization for other specified aid to education progams for such fiscal years.

Amends the Comprehensive Employment and Training Act to eliminate funding for the public service employment program for such fiscal years.

Authorizes other specified programs for fiscal year 1982.

Prescribes fund allocation formulae.

Terminates or reduces the authorizations for other specified Acts under the jurisdiction of the Education and Labor Committee.

Economic Opportunity Act Amendments of 1981—Amends the Economic Opportunity Act of 1964 to permit the Director of the Community Services Administration to provide financial assistance through grants or contracts for research, demonstration, or pilot projects for urban and rural community development.

Requires the Director to develop and carry out pilot projects which are designed to: (1) aid low-income elderly persons to achieve greater self-sufficiency; (2) focus upon the problems of rural poverty; (3) develop new techniques community-based efforts to prevent narcotics addiction or to rehabilitate narcotics addicts; (4) encourage the participation of private organizations other than nonprofit organizations, in programs under such Act; or (5) strengthen and maintain the family unit.

Authorizes appropriations to carry out such programs through fiscal year 1984.

Establishes the National Center for Appropriate Technology, as a part of the Emergency Energy Conservation Services program, as a private, nonprofit organization to perform functions desinged to further the adoption, extension, and use of appropriate energy technology to meet the needs of low-income individuals and community groups.

Makes the Northern Mariana Islands eligible for assistance under such Act for the development and implementation of community action programs.

Terminates research for the development of new approaches to the problems of rural poverty.

Authorizes appropriations through fiscal year 1984 to carry out rural community action programs and to provide assistance for migrant and other seasonally employed farmworkers and their families. Authorizes appropriations through fiscal year 1986 to carry out the Head Start and Follow Through programs.

Terminates the authorization of funds for the National Advisory Council on Economic Opportunity. Authorizes appropriations through fiscal year 1984 for administration and coordination of programs.

Prohibits the release of any funds to any agency for work training, programs to combat poverty in rural areas, employment and investment incentives, administration and coordination, or community economic development, until it has submitted to the Director a statement certifying that it has established an accounting system with internal controls.

Requires the Director, within three months after the effective date of a grant or contract of assistance with an organization, to provide for a preliminary audit review of the adequacy of such accounting system and internal controls. Requires subsequent audits biennially. Authorizes appropriations through fiscal year 1984 to carry out community economic development programs.

Requires the National Advisory Community Investment Board to advise the Director regarding the development of management capability standards for use in community development corporations.

Prohibits financial assistance for any community economic development program unless the Director determines that: (1) the applicant has demonstrated management capabilities sufficient to create a probability that the program will operate in a manner which minimizes the prospect of financial failure; and (2) the applicant has demonstrated to the satisfaction of the Director that adequate restraints on excessive administrative or expense accounts are in place.

Prohibits any financial assistance for community economic development programs if the Director determines that the proposed activities of such a program are similar to or duplicative of, existing private sector businesses in the same area.

Authorizes appropriations through fiscal year 1984 to carry out Native American programs.

Older Americans Act Amendments of 1981—Amends the Older Americans Act of 1965 to eliminate the National Information and Resource Clearing House for the Aged.

Extends through fiscal year 1984 the authorization of appropriations for: (1) grants for State and community programs on aging (relating to social services and to congregate and home delivered nutrition services); and (2) the Federal Council on Aging.

Requires State plans to make each nutrition service project available, not only to individuals aged 60 or older, but also to handicapped or disabled individuals under 60 years of age residing in senior citizen centers where congregate nutrition services are provided. Allows area agencies to award funds to organizations for home nutrition services without requiring that such organizations also provide congregate services.

Extends through fiscal year 1984 the authorization of appropriations for certain training, research, and discretionary projects and programs in the field of aging. Eliminates other specified projects and programs. Provides for special projects in mental health care.

Includes the Commonwealth of the Northern Mariana Islands in provisions for distribution of assistance under such Act.

Extends through fiscal year 1984 the authorization of appropriations for grants for Indian tribes for elderly services, other than multipurpose senior centers.

Authorizes the Commissioner to make grants to, and enter into contracts with, designated State agencies to provide home maintenance and repair services to older individuals. Authorizes appropriations for fiscal years 1982 through 1984 to carry out such program.

Amends the Domestic Volunteer Services Act of 1973 to authorize appropriations for fiscal years 1982 and 1983 for National Older Americans Volunteer programs (the Retired Senior Volunteer program, the Foster Grandparent program, and the Older American Community Service programs).

Alcohol and Drug Abuse Education Act Amendments of 1981—Amends the Alcohol and Drug Abuse Education Act to authorize specified sums for alcohol and drug abuse education projects for fiscal years 1982-1985.

Authorizes up to five percent (presently three percent) of annual appropriations for project evaluation.

Makes Indian tribes, tribal organizations, and urban Indian centers eligible for assistance under such Act.

DOMESTIC VOLUNTEER SERVICE ACT AMENDMENTS OF 1981

Amends the Domestic Volunteer Service Act of 1973 to authorize appropriations to carry out national volunteer antipoverty programs for fiscal years 1982, 1983, and 1984.

Requires that at least 83 percent of such funds must be earmarked for the VISTA program. Eliminates provisions earmarking portions of such funds for other programs.

Authorizes the Director of the ACTION Agency to make grants and contracts for projects and programs which encourage and enable students in secondary, vocational, and postsecondary schools to participate in service-learning programs on an in-school or out-of-school basis in specified assignments.

Child Abuse Prevention and Treatment Amendments of 1981—Amends the Child Abuse Prevention and Treatment Act to extend through fiscal year 1986 the authorization of appropriations for the child abuse prevention and treatment program.

Amends the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978 to extend through fiscal year 1986 the authorization of appropriations for the adoption reform program.

Amends the Child Abuse Prevention and Treatment Act to direct the Secretary of Health and Human Services to provide specified types of assistance in locating missing children.

Provides protection under such Act from adverse job actions for persons reporting instances of child abuse and neglect occurring in public or private residential institutions.

Sets forth provisions concerning the use of appropriated funds under the Education of the Handicapped Act.

Amends the Higher Education Act of 1965, with respect to the guaranteed student loan program, to: (1) count Social Security and Veterans' benefits as student aid instead of income for eligibility purposes; (2) reduce the maximum amount available for independent students loans from $3,000 to $2,500; (3) increase from nine percent to 14 percent the interest rate on parent loans; (4) eliminate grace periods after repayment deferrals; (5) raise the minimum annual repayment from $360 to $600; (6) authorize assessment of a four percent origination fee on all guaranteed student loans made after July 1, 1981; and (7) eliminate administrative allowances.

Child Nutrition Amendments of 1981—Amends the National School Lunch Act for fiscal years 1982 through 1984 to: (1) reduce the general reimbursement to State agencies; (2) reduce the reduced price lunch subsidy (thereby increasing the price) with provision for annual adjustments in payment rates; (3) reduce commodity assistance for lunches; (4) lower the income eligibility guidelines; (5) revise state revenue matching requirements; (6) limit private school participation; (7) limit the summer food service program to lunches only; and (8) revise the child care food program.

Amends the Child Nutrition Act of 1966 for fiscal years 1982 through 1986 to: (1) reduce breakfast subsidies; (2) end the special milk program; and (3) reduce the authorization of appropriations contained in such Act for nutrition education and training.

Amends the Black Lung Benefits Act to impose a temporary (through fiscal year 1984) user fee on coal sold by a producer. Revises the eligibility requirements for black lung benefits and payments from the Black Lung Disability Trust Fund. Delays retroactive payment of black lung benefits until after a claim has been completely adjudicated. Changes from six percent to the adjusted prime rate the interest rate paid by coal operators on reimbursement to the Trust Fund for paid-out benefits later determined to be the responsibility of such operators.

Title VI: House Committee on Energy and Commerce.— Sets forth changes in laws within the jurisdiction of the House Committee on Energy and Commerce sufficient to reduce appropriations for programs authorized by such committee so as to achieve specified savings in budget authority and outlays.

Title VII: House Committee on Foreign Affairs.—Sets forth limitations on the following programs under the jurisdiction of the House Committee on Foreign Affairs in order to meet specified savings in budget authority and outlays: (1) the American schools and hospitals abroad for fiscal years 1982, 1983, and 1984; (2) international organizations and programs for fiscal years 1982, 1983, and 1984; (3) international narcotics control for fiscal years 1982, 1983, and 1984; (4) international disaster assistance for fiscal years 1982, 1983, and 1984; (5) the African Development Foundation for fiscal years 1982, 1983, and 1984; (6) the Inter-American Foundation for fiscal year 1982; (7) the Peace Corps for fiscal years 1982, 1983, and 1984; (8) international organizations and conferences—assessed contributions for fiscal years 1982, 1983, and 1984; (9) the Board for International Broadcasting for fiscal years 1982, 1983, and 1984; (10) the International Communication Agency—salaries and expenses for fiscal year 1982; (11) the Arms Control and Disarmament Agency for fiscal years 1982 and 1983; and (12) expenses not otherwise recoverable and unrecovered prior years' costs for the fiscal years 1982, 1983, and 1984, under the Agricultural Trade Development and Assistance Act of 1954.

Title VIII: House Committee on Interior and Insular Affairs.— Sets forth limitations on authorizations through fiscal year 1984 for the following: (1) the Advisory Council on Historic Preservation; (2) the Forest Service; (3) special recreation user fees programs of the Corps of Engineers; (4) programs of the Department of Energy which are wholly or partially within the jurisdiction of the House Committee on Interior and Insular Affairs; (5) Indian Health Service; (6) programs of the Department of the Interior which are wholly or partially within the jurisdiction of the House Committee on Interior and Insular Affairs; (7) the National Board on Water Resources; (8) the Navajo and Hopi Indian Relocation Commission;

(9) the Nuclear Regulatory Commission; (10) the Office of Federal Inspector for Alaska Natural Gas Transportation System; (11) the Pennsylvania Avenue Development Corporation; and (12) the United States Holocaust Memorial Council.

States that, effective October 1, 1981, all offers for noncompetitive oil and gas leases shall be accompanied by a specified filing fee. Sets forth a pricing policy for federal uranium enrichment services.

Title IX: House Committee on Merchant Marine and Fisheries—Subtitle A—Maritime Programs.—Authorizes specified appropriations for fiscal year 1982 for certain Department of Commerce maritime programs including: (1) ship construction, acquisition, and construction differential subsidies; (2) operating-differential subsidy payments; (3) research and development; (4) operations and training; (5) fleet expenses; and (6) maritime education. Authorizes supplemental appropriations for fiscal year 1982 for employee benefits.

Amends the Merchant Marine Act, 1936, to allow the Secretary of Commerce to reduce the construction differential subsidy rate by five percent under specified circumstances.

Authorizes an operator receiving operating differential subsidy funds to suspend its subsidy contract under certain conditions.

Authorizes the Secretary to establish alternate trade routes, via a range of different ports, during the seasonal closure of the Saint Lawrence Seaway.

Redefines the terms "foreign commerce," "foreign trade," and "vessel" to include the employment of certain methanol (methyl alcohol) producing barges.

Redefines the term "noncontiguous domestic trade" as used in such Act to include the carriage from the United States to offshore burn site of chemical wastes for incineration at sea.

Prohibits a vessel from receiving a construction or operating differential subsidy if it is not offered for enrollment in an approved sealift readiness program.

Reduces the sums available for obligation pertaining to commercial demonstration ocean thermal energy conversion facilities or plantships.

Authorizes the Secretary, during fiscal year 1982, to waive certain minimum spending obligations for fishing vessels and facilities if such reserved obligations will not be utilized for such purposes during fiscal year 1982.

Revises membership of the Board of Visitors to the United States Merchant Marine Academy.

Amends the Shipping Act, 1916, to prohibit an ocean freight forwarder from receiving compensation from a common carrier in regard to any shipment in which the forwarder or certain others have a beneficial interest.

Directs the Secretary to compare repair and outfitting costs for the training vessel Bay State with reactivation and conversion costs for the steamship Tulare in order to determine the appropriate vessel for use as the Massachusetts Maritime Academy training ship. Requires such study to be submitted to Congress within 90 days of the date of enactment of this Act.

Amends the Merchant Marine Act, 1936, to authorize the Secretary, until September 30, 1983, to permit an operator receiving or applying for an operating differential subsidy under such Act to construct or acquire its vessels in a foreign shipyard under certain circumstances.

Authorizes the Secretary to make construction differential subsidies available to United States-built or documental vessels for replacement or upgrading of such vessels' existing propulsion machinery in order to improve energy efficiency. Establishes guidelines for the approval of such subsidies.

Sets forth procedures for the negotiation, acceptance, and payment of such subsidies by the Secretary.

Requires replacement propulsion equipment to be of United States origin except under specified circumstances.

Classifies such upgraded vessel as "new" or "reconstructed" for specified purposes of such Act. Reduces the age of such vessel by ten years for purposes of the obligation to replace it under any operating differential subsidy and capital construction fund program or contract.

Subtitle B—Merchant Seamen Entitlement to Medical Care.—Amends the Public Health Service Act to eliminate free health care for merchant seamen provided by the Public Health Service.

Subtitle C—Comprehensive Oil Pollution Liability and Compensation Act.—Establishes the Comprehensive Oil Spill Liability Fund in the Treasury of the United States, to be administered by the Secretary of Transportation and the Secretary of the Treasury, to pay specified removal costs arising out of an oil pollution incident.

Requires the Secretary of the Treasury to collect from each refinery owner, and from the owner of each terminal receiving oil for export or entry into the United States, a specified fee.

Permits claims for damages for economic loss which are incurred within a specified time to be asserted in certain cirumstances.

Imposes joint, several and strict liability on the owners and operators of each pollution source. Specifies liability limits, except in cases of gross negligence or willful misconduct, for ships and other vessels.

Specifies procedures whereby the Secretary shall designate and advertise pollution sources.

Sets forth procedures for the disposition and appeal of claims submitted to the Fund.

Subrogates any person or government entity paying compensation, including the Fund, to all claimant's claims and rights under this Act.

Declares that the Comprehensive Oil Spill Liability Fund shall assume all liability incurred by the Trans-Alaska Pipeline Liability Fund.

Subtitle D—Ocean Dumping Fees.—Amends the Marine Protection, Research, and Sanctuaries Act of 1972 to require the establishment of a system for the imposition of ocean dumping fees at an amount not greater than five dollars per wt. ton of materials dumped.

Title X: House Committee on Post Office and Civil Service.—Sets forth the following Federal employee pay comparability adjustments: (1) 5.8 percent during fiscal year 1982; (2) 7.4 percent during fiscal year 1983; and (3) 7.0 percent during fiscal year 1984.

Prohibits the President, beginning in fiscal year 1985, from submitting any pay adjustment pay not based on full comparability except during times of national emergency or of general mandatory wage and price controls.

Amends Federal law to reduce civil service pay for military retirees by the full amount of their military retirement pay.

Prohibits federal employees who are reservists in the armed forces or members of the National Guard from receiving both civilian and military pay during their annual two-week period of active duty. Reduces such civilian pay by the amount received in military pay.

Requires adjustments to federal personnel ceilings based on the extent to which federal operations are contracted out. Requires such contracting out to be based on cost-effectiveness criteria.

Authorizes cash awards to federal employees who disclose waste, fraud, and mismanagment in the government.

Entitles a member of the Senior Executive Service in the Federal Government whose position is eliminated to be reassigned to another Senior Executive Service position for which such career appointee is qualified.

Requires the Office of Personnel Management to withhold State income tax from the monthly annuity payment of any annuitant who requests such withholding.

Reduces, and eliminates as of fiscal year 1984, the public service payment to the United States Postal Service (USPS) for the costs of providing unprofitable services.

Requires the continuation of six-day mail delivery through fiscal year 1984.

Requires the Postal Service to provide for consolidation and closing of post offices so as to achieve specified savings.

Reduces the authorization of appropriations through fiscal year 1984 for the revenue foregone payment subsidies for USPS.

Defers, until fiscal year 1985, the federal payment to the Postal Service Fund for unfunded liabilities of the old Post Office Department. Prohibits funds for the Postal Service or any executive agency to implement a nine-digit zip code.

Title XI: House Committee on Public Works and Transportation—Subtitle A—Transportation Programs.—Requires the Civil Aeronautics Board to fix and determine rates of compensation under the Federal Aviation Act of 1958 and to establish rates of compensation payable by such Board for service performed during fiscal year 1982 does not exceed a specified amount.

Limits the total of all obligations for Federal-aid highways and highway safety construction programs for fiscal year 1982.

Amends the Urban Mass Transportation Act of 1964 to reduce, for fiscal year 1982, the authorization of appropriations for the Urban Mass Transit Grant program.

Subtitle B—Water Resources Development Programs.—Amends the Federal Water Pollution Control Act to reduce the authorization of appropriations in fiscal year 1982 for sewage construction grants.

Authorizes appropriations for fiscal year 1982 to carry out the State construction grant management program.

Limits the authorization of appropriations for fiscal year 1982 to the Secretary of the Army, acting through the Chief of Engineers, for construction of river and harbor, flood control, shore protection, and related authorized projects (other than the project for the Mississippi River and tributaries).

Eliminates the authorization of appropriations for fiscal year 1982 to the Tennessee Valley Authority to carry out the North Alabama Coal Gasification Project at Murphy Hill, Alabama.

Prohibits any fees from being charged by any officer of the Federal Government for the transportation for the purpose of dumping, or the dumping, of any material into the oceans.

Subtitles C—Economic Development Programs.—Amends the Public Works and Economic Development Act of 1965 to reduce funding for certain programs under the Economic Development Administration.

Amends the Appalachian Regional Development Act of 1965 to reduce the authorization of appropriations for fiscal year 1982 for the Appalachian Regional Commission.

Subtitle D—Pollution Liability, Compensation and Fund.— Comprehensive Oil Pollution Liability and Compensation Act—Establishes the Comprehensive Oil Spill Liability Fund in the Treasury of the United States, to be administered by the Secretary of Transportation and the Secretary of the Treasury, to pay specified removal costs arising out of an oil pollution incident.

Requires the Secretary of the Treasury to collect from each refinery owner, and from the owner of each terminal receiving oil for export or entry into the United States, a specified fee.

Permits claims for damages for economic loss which are incurred within a specified time to be asserted in certain circumstances.

Imposes joint, several and strict liability on the owners and operators of each pollution source. Specifies liability limits, except in cases of gross negligence or willful misconduct, for ships and other vessels.

Specifies procedures whereby the Secretary shall designate and advertise pollution sources.

Sets forth procedures for the disposition and appeal of claims submitted to the Fund.

Subrogates any person or Government entity paying compensation, including the Fund, to all claimant's claims and rights under this Act.

Declare that the Comprehensive Oil Spill Liability Fund shall assume all liability incurred by the Trans-Alaska Pipeline Liability Fund.

Title XII: House Committee on Science and Technology—Subtitle A—Department of Energy Civilian Research and Development Programs and Projects 1982 Authorization Act.—Authorizes funds for operating expenses for research and development programs of the Department of Energy for fiscal year 1982. Sets forth percentages of fiscal year 1981 funds that are provided for fiscal year 1982 programs.

Authorizes appropriations for plant and capital equipment for certain projects and new construction at specified project sites.

Provides for the termination of the Clinch River Breeder Project and makes appropriations for refined conceptual design activities for a liquid metal fast breeder Large Development Plant. Sets forth administrative provisions for funding of construction projects.

Directs the Secretary of Energy to establish a Research and Development Construction and Facilities Office to provide technical and management facility design and construction services for the Department.

Prohibits the use of any funds under this title for the purpose of releasing any radioactive contaminated water into the Susquehanna River.

Subtitle B—Department of Energy Civilian Programs Authorization.—Authorizes the appropriation of funds for: (1) conservation activities; (2) regulatory and related functions; (3) power marketing programs; (4) nuclear assessment, interim spent nuclear fuel management, and commercial waste remedial action; (5) other renewable resources and conservation activities; (6) uranium enrichment, other commercial waste management activities, and West Valley demonstration project activities; and (7) departmental administration.

Sets forth energy projections to the year 2000.

Subtitle C—National Science Foundation Authorization.—National Science Foundation Authorization Act for Fiscal Year 1982—Authorizes appropriations for programs and operations of the National Science Foundation.

Amends the National Science Foundation Act of 1950 to authorize the National Science Board (formerly the Foundation) to establish special commissions, consisting of such members as the Board considers appropriate, to make recommendations to the Foundation on issues relating to research and education in science and engineering.

Amends the National Science Foundation Act, Fiscal Year 1978, to disestablish the Resource Center for Science and Engineering.

Subtitle D—Atmospheric, Climatic, and Ocean Pollution Authorization.—Atmospheric, Climatic, and Ocean Pollution Act of 1982—Authorizes appropriations to the National Oceanic and Atmospheric Administration (NOAA) of the Department of Commerce for atmospheric, climatic, and ocean pollution programs for fiscal year 1982. Authorizes the NOAA to plan for, develop, and operate a civilian land observing system. Requires the Administrator of NOAA to report to the President and to the Congress by January 15, 1982, on the activities undertaken pursuant to such system.

Subtitle E—Environmental Research, Development, and Demonstration Act of 1982.—Authorizes appropriations to the Environmental Protection Agency (EPA) for specified activities and research programs for fiscal year 1982.

Directs the Administrator of EPA to: (1) conduct a pilot project on the use of peer review in research planning; and (2) conduct a study on the Federal government's efforts in the integration of research and dissemination of information and report to the President and the Congress on such study within 18 months of enactment of this Act.

Subtitle F—Federal Aviation Administration Research, Engineering, Development, and Demonstration Authorization.—Authorizes appropriations to the Federal Aviation Administration from the Airport and Airway Trust Fund for certain research, engineering and development, and demonstration projects and activities. Authorizes the Administration to use such funds for any other such activity upon approval from the appropriate Congressional committees.

Subtitle G—Federal Emergency Management Agency Authorization.—Amends the Earthquake Hazards Reduction Act of 1977 and the Federal Fire Prevention and Control Act of 1974 to authorize appropriations to the Federal Emergency Management Agency for fiscal year 1982 for specified programs and activities.

Title XIII: House Committee on Small Business.—Small Business Budget Reconciliation and Loan Consolidation/Improvement Act of 1981—Amends the Small Business Act to set forth methods, procedures, and criteria for the Small Business Administration in making loans to eligible small businesses. Authorizes appropriations to carry out provisions of this title.

Title XIV: House Committee on Veterans' Affairs.—Terminates the Veterans' Administration authority to provide educational assistance to veterans for flight training and to veterans, spouses, and surviving spouses for correspondence training. Eliminates dental benefits for veterans whose dental conditions existed during military duty, but who did not seek or receive treatment.

Limits the payment of burial allowances for veterans dying during fiscal years 1982, 1983, and 1984.

Subtitle A—Adjustment Assistance.—Amends the Trade Act of 1974 to revise eligibility requirements for adjustment assistance to require that imports be a "substantial cause of" (formerly, "contributed importantly to":) a firms decline.

Directs the Secretary of Labor to provide full information to workers about the benefits available under the Act.

Revises trade readjustment allowance qualifying requirements, weekly amounts, and limitations on allowances. Authorizes the Secretary, within certain limitations, to require adversely affected workers to accept job training or to actively search for work outside their former employment area if the Secretary determines with respect to the labor market area that: (1) a high level of unemployment exists; (2) suitable employment opportunities are not available; and (3) there are facilities available to provide training in new or related job classifications.

Requires the Secretary to develop in cooperation with an adversely affected worker covered by a certification who is unemployed or underemployed and with others, an appropriate employability plan.

Authorizes the Secretary, with certain restrictions, to defray reasonable transportation and subsistence expenses when training facilities are not within commuting distances. Increases individual job search allowances and relocation allowances.

Waives the requirement that any overpayment must be repaid if: (1) the overpayment was made without fault on the part of an individual; and (2) requiring repayment would be contrary to equity and good conscience.

Abolishes the Adjustment Assistance Trust Fund. Authorizes appropriations for fiscal years 1982 and 1983.

Sets forth provisions relating to definitions, conforming amendments, and effective dates and transitional provisions.

Authorizes the Secretary to provide technical assistance (including grants) to firms. Prohibits a direct loan to a firm if the loan can be obtained from private sources at a rate no higher than the maximum interest per annum that a participating financial institution may establish and guaranteed loans made pursuant to the Small Business Act.

Revises conditions for financial assistance to a firm.

Provides that direct loans made or guaranteed for the acquisition or development of real property or other capital assets shall ordinarily be secured by a first lien on the assets and shall be fully amortized.

Authorized the Secretary to provide technical assistance, up to a specified sum per industry, for the establishment of industry wide programs for new development or other uses consistent with the purposes of the Act.

Repeals the Adjustment Assistance Program for Communities.

Extends the termination date of adjustment assistance programs for workers and firms from September 30, 1982 to September 30, 1983.

Subtitle B—Federal Old Age, Survivors, and Disability Insurance Program.—Social Security Spending Reduction Amendments of 1981—Amends title II (Old Age, Survivors and Disability Insurance) of the Social Security Act to provide for the phased elimination of a child's insurance benefits to an individual on the basis of fulltime postsecondary school student status.

Terminates a nondisabled's entitlement to child's insurance benefits when such child reaches age 16 (currently such entitlement ceases when a child reaches age 18).

Eliminates prospectively the minimum benefit amount used in computing the primary insurance amount.

Authorizes reimbursement of the cost of providing information to assist specified parties with respect to the administration of an employee benefit plan.

Provides that at each stage in the benefit computation, the amount derived is rounded down (presently rounded up) to the next higher 10 cents.

Delays part of the payment of the cost-of-living increase to October 1982 presently scheduled to be paid in July 1982.

Authorizes reimbursement from the trust fund to State for vocational rehabilitation services only where the services have resulted in a beneficiary's performance of substantial gainful activity for a continuous nine month period.

Retains the earnings limitations test for persons under age 72 until 1983 (presently scheduled to be lowered to age 70 in 1982).

Limits the payment of lump-sum death benefits to a widow or widower entitled to widow's, widower's, or mother's benefits on the basis of the wages and self-employment income of a deceased individual or in equal shares to each person entitled to child's insurance benefits on the basis of the wages and self-employment income of such individual (currently such benefits may be paid to cover burial expenses of the insured individual).

Provides that in the case of workers retiring at age 62 entitlement to benefit begins with the first month throughout all of which the individual is entitled.

Subtitle C—Unemployment Compensation, Public Assistance, and Low-Income Energy Assistance.—Amends the Federal-State Extended Unemployment Compensation Act of 1970 to eliminate the "national trigger" under the extended benefits program.

Excludes extended benefit claimants from the calculation of the insured unemployment rate for extended benefits trigger purposes.

Increases from 365 to 730 days the length of continuous military service needed to qualify as employment for unemployment compensation purposes. Delays an ex-serviceman's entitlement until the fifth week after discharge or release from Federal Service. Limits an ex-service member's total entitlement to no more than 13 weeks of benefits.

Amends part A (Aid to Families with Dependent Children) of title IV of the Social Security Act to revise eligibility and benefits standards by requiring States to disregard specified amounts of monthly earnings. Allows States to terminate, or phase-out gradually, the $50 disregard and the one-third work incentive disregard for families with earned income above the poverty level or, at State option, 200 percent of the State standard of need, after the family has had earned income and claimed one-third disregard for 12 consecutive months. Permits individuals who lose eligibility for AFDC payments because of the termination of the disregards to remain eligible for Medicaid for 12 months after payment stops.

Requires that in calculations a child's need for AFDC a State shall consider a specified portion of stepparent's income as available to such child.

Provides that AFDC eligibility for a month shall be determined on the basis of the family's income during such month; that family resources shall be determined as they existed on the last day of the previous month; and that the benefit amount shall be determined on the basis of the income of the previous month. Requires AFDC families to report their income, and other information, on a monthly basis.

Requires that whenever a determination is made to terminate, suspend, or adjust AFDC payments to a family, such family shall be mailed a written notice concerning such action at least ten days prior to the effective date of the action.

Allows States to require, under certain conditions, AFDC recipients to participate in a qualified State work experience program in which they would perform work in return for the regular AFDC benefits.

Limits eligibility for certain AFDC payments to two-parent families to such families in which the "principal earner" parent is unemployed (presently payments may be made if either one is unemployed).

Requires a State to promptly correct any AFDC overpayment or underpayment.

Permits States paying benefis to dependent children over 18 who are students to limit AFDC eligibility at any age between 18 and 21.

Provides that any familiy is ineligible for AFDC if the combined value of its resources exceeds $1,500 or a lower amount at the State's option. Permits a State to exclude from resources: (1) a home and a car; (2) household goods and personal effects; (3) tools and equipment; and (4) life and burial insurance policies.

Amends part D (Child Support and Establishment of Paternity of title IV of the Social Security Act to require a State plan to make provisions for enforcing spousal support obligations (alimony) in addition to child support.

Requires a State to retain ten percent of the support collected on behalf of a non-AFDC recipient, in order to defray the costs of such collection service.

Requires that the incentive payments to States collecting child support payments on behalf of another jurisdiction be made from the total amount of such collections, rather than from the Federal assistance share.

Prohibits the discharge in bankruptcy of a child support obligation assigned to a State as a condition of AFDC eligibility.

Requires child support enforcement agencies to determine on a periodic basis whether any individuals receiving unemployment compensation owe child support obligations being enforced by such agency and if so, to require the agency to withhold such child support payments from the unemployment compensation. Amends title III (Unemployment Compensation) of the Act to require State unemployment compensation agencies to require unemployment compensation applicants to disclose whether or not the applicant owes child support obligations and to notify the appropriate child support enforcement agency if child support is owed.

Permits the Internal Revenue Service to collect delinquent alimony as well as child support payments.

Amends title XVI (Supplemental Security Income) of the Act to provide that an individual's monthly eligibility for benefits for a month shall be determined on the basis of the individual's income, resources, and other relevant characteristics in such month, and the amount of monthly benefits on the basis of income and other characteristics in the preceding month such month, or, on the basis of income and other characteristics in the second month preceding such month. Authorizes the Secretary to redetermine eligibility for an amount of benefits at other times.

Allows States to continue to pay out cash, in lieu of food stamps, to SSI recipients under specified conditions.

Limits the negotiability of SSI checks to 180 days from the date of issuance.

Requires future cost-of-living adjustments in SSI to conform to cost-of-living adjustments under title II.

Adds a new total to the Social Security Act, title XXI (Energy Assistance to Low-Income Households). Authorizes appropriations for fiscal years 1982 and 1983 to provide low-income energy assistance in order to offset excessive home energy costs. Makes such funds available to States which have plans for low-income energy assistance approved by the Secretary.

Sets forth State plan requirements.

Directs the Secretary to pay up to a formulated amount 80 percent of a State's expenses in carrying out the plan for fiscal year 1983 and 100 percent of the expenses for fiscal year 1982.

Prohibits payments with respect to any household unless the household has at least one individual eligible for AFDC, SSI, Food Stamps, certain veterans benefit, or the household's income falls below a specified level.

Amends title XX (Grants to States for Services) of the Social Security Act to limit Federal funding for fiscal year 1982 for training costs.

Subtitle D—Medicare Program.—Medicare Spending Reduction Amendments of 1981—Amends title XVIII (Medicare) of the Social Security Act to eliminate coverage of alcohol detoxification facilities, under part A (Hospital Insurance) of title XVIII.

Provides payment for nutritional therapy for individuals with end-stage renal disease when used as a means of delaying or substituting for the provision of kidney dialysis.

Requires a one dollar a day copayment under Medicare for each of the first 60 days of inpatient hospital care.

Provides that Part A coinsurance will by based on the current years deductible, rather than the deductible effective when the illness began.

Revises the part A, inpatient hospital deductible by adding five dollars to the base figure of $40 used in the formula to determine such deductible.

Eliminates the carryover from the last three months of the previous year of incurred expenses used to determine whether the part B (Supplementary Medical Insurance) deductible has been met. Increases the part B deductible from $60 to $70, and indexes it to cost-of-living increases under title II.

Offsets interest earnings on funded depreciation accounts of providers against interest expenses to determine reimbursement.

Revises an exemption to a provision requiring the reduction of reimbursements to hospitals in specified situations, by adding a requirement that a hospital derive less than 30 percent of its income from non-governmental sources to qualify for such exemption. Exempts hospitals from such reductions if there is no excess of hospital beds in the area in which the hospital is located.

Directs the Secretary to provide for a method of determining prospectively the amounts of payments to be made for dialysis services furnished by providers and renal dialysis facilities to furnished individuals in a facility and at home.

Prohibits the Secretary, in determining the amount of reimbursements for home health services, from recognizing as reasonable costs for such services to the extent such costs exceed the 75th percentile of such costs per visit for home health agencies; or, in the judgement of the Secretary, such lower percentile as the Secretary may determine.

Prohibits the Secretary, in determining reimbursements with respect to routine operating costs for inpatient hospital services, from recognizing as reasonable costs to the extent that they exceed 108 percent of the mean of such routine operating costs per diem; or, in the judgment of the Secretary, such lower perentage as the Secretary may determine.

Amends part A (General Provisions) of title X of the Social Security Act to provide civil penalties for any person who presents or causes to be presented an improper claim for a medical or other item or service under the Medicare or Medicaid (title XIX) programs.

Amends title XVIII (Medicare) of the Act to direct the Secretary to establish utilization guidelines for the provision of home health care.

Repeals the requirement that skilled nursing facility provides agreements be renewed annually.

Amends the Medicare and Medicaid Amendments of 1980 to direct the Secretary to establish guidelines by October 1, 1981, to assure that agreements with States already authorized, for demonstration projects for the training of AFDC recipients as homemakers and home health aides are entered into by January 1, 1982. Requires the Secretary to report to Congress relating to such projects.

Amends part B (Professional Standards Review) of title XI of the Social Security Act to direct the Secretary by September 30, 1981, to identify and specify requirements which will be used in assessing a PSRO's performance. States that such requirements shall include requirements relating to the effectiveness of a PSRO in: (1) monitoring the quality of patient care; (2) reducing unnecessary utilization; and (3) managing its activities efficiently. Authorizes the Secretary to terminate the less effective PSRO's during fiscal year 1982. Directs the Secretary to report to Congress relative to PSRO performance assessments.

Makes 100 percent financing under part B of title XI applicable only to the Medicare program and provides States the option of contracting for Medicaid review at a 75 percent Federal matching rate.

Repeals the PSRO program effective October 1, 1983.

Repeals the requirement for utilization review under the Medicare program with respect to hospitals, skilled nursing facilities, and rural health clinics.

Prohibits payments under the Medicare program with respect to an item or service for an individual aged 65 or older to the extent that payment has been made, or can reasonably be expected to be made under the Federal Employees Health Benefits Program.

Measure signed in Senate on August 12, 1981 and signed by the President on August 13, 1981 and became Public Law No. 97-35.

H. Con. Res. 115, First Concurrent Budget Resolution, fiscal years 1982, 1983, 1984.

Title I: Revision of the Congressional Budget for the United States Government for the Fiscal Year 1981.—Recommends a level of Federal revenues in fiscal year 1981 of $610,900,000,000.

States that the appropriate level of total budget authority for fiscal year 1981 is $723,000,000,000 and that the appropriate level of total budget outlays is $662,400,000,000.

Sets forth a budget deficit of $51,500,000,000. States that the appropriate level of public debt is $994,100,000,000 with an increase of $9,100,000,000 in the statutory limit on such debt.

States that the appropriate level of total gross obligations for the principal amount of direct loans is $73,500,000,000. Sets the appropriate level of total new primary commitments to guarantee loan principal at $85,200,000,000 and the appropriate level of total new secondary commitments to guarantee loan principal at $66,200,000,000.

Sets forth recommended levels of new budget authority and outlays under each major functional category of the budget for fiscal year 1981.

Title II: Setting Forth the Congressional Budget for the United States Government for the Fiscal Years 1982, 1983, and 1984.—Recommends a level of Federal revenues in fiscal year 1982 of $688,950,000,000 with the aggregate level of Federal revenues decreased by $30,450,000,000. States that the appropriate level of new budget authority for fiscal year 1982 is $787,650,000,000. Sets the appropriate level of total budget outlays at $714,550,000,000.

Sets forth a budget deficit of $25,600,000,000 in light of economic conditions and all other relevant factors.

Sets the appropriate level of the public debt for fiscal year 1982 at $1,060,000,000,000 with an increase of $65,900,000,000 in the statutory limit on such debt.

Sets forth recommended levels of new budget authority and outlays under each major functional category of the budget for fiscal year 1982.

Establishes a Congressional Federal credit budget for fiscal year 1982 with appropriate levels of: (1) new direct loan obligations at $56,850,000,000; (2) new primary loan guarantee commitments at $87,750,000,000; and (3) new secondary loan guarantee commitments at $68,750,000,000. Sets forth the appropriate levels of total Federal credit activity, new direct loan obligations, new primary loan guarantee commitments, and new secondary loan guarantee commitments for each functional category for fiscal year 1982.

Expresses the sense of Congress that the following ceilings should be applied in fiscal year 1982: (1) $23,700,000,000 for off-budget lending activities; (2) $33,150,000,000 for on-budget lending activities; (3) $87,750,000,000 for new primary loan guarantee commitments; and (4) $68,750,000,000 for new secondary loan guarantee commitments.

Recommends levels of Federal revenues of $778,250,000,000 in fiscal year 1983 and $864,850,000,000 in fiscal year 1984.

States that the appropriate level of new total budget authority for fiscal year 1983 is $865,550,000,000 and $923,250,000,000 for fiscal year 1984. Sets the appropriate level of total budget outlays at $779,500,000,000 in fiscal year 1983 and $839,050,000,000 in fiscal year 1984.

Sets the amount of the surplus or deficit in the budget which is appropriate in light of economic conditions at —$1,250,000,000 in fiscal year 1983 and +$25,800,000,000 in fiscal year 1984.

Sets the appropriate level of the public debt at $1,094,850,000,000 and $1,096,650,000,000 in fiscal years 1983 and 1984, respectively. Sets forth the increase in the temporary statutory limit on such debt at $34,850,000,000 in fiscal year 1983 and $1,800,000,000 in fiscal year 1984.

Sets forth the corresponding levels of new budget authority and outlays for each major functional category of the budget in fiscal years 1983 and 1984.

Declares that it is the sense of Congress that the leadership of both parties should form a bipartisan effort to make a recommendation on indexing reform to be implemented no later than fiscal year 1984.

Title III: Providing Reconciliation Instructions and other Enforcement Measures.—Requires specified House and Senate committees to recommend program changes in laws within their respective jurisdictions to reduce budget authority and outlays for fiscal years 1982, 1983, and 1984 by specified amounts. Requires such committees, not later than June 15, 1981, to submit their recommendations to the Committees on the budget of their respective Houses. Requires the Committees on the Budget to report to the House and the Senate a reconciliation bill or resolution or both carrying out all such recommendations without any substantive revision.

Prohibits the enrollment of any bill or resolution providing new budget authority for fiscal year 1982 or new spending authority first effective in fiscal year 1982 until after Congress has completed action on the second concurrent resolution on the budget and on any reconciliation legislation required by such resolution, except in the case of any legislation for which a conference report has been filed in either House prior to final adoption by both Houses of this resolution.

Declares that it is the sense of the Congress that the Council on Integrity and Efficiency should prepare comprehensive, long-term plans encompassing at a minimum debt collection, procurement procedures, resolution of audit findings, and other areas of possible budget savings through improved administrative procedures covered by the General Accounting Office report to the House Committee on the Budget, and that necessary legislation to implement such plans be submitted to Congress no later than June 1, 1981.

The Senate agreed to the following amendment:

S. Amdt. No. 94, amendments en bloc substituting the effect of the language agreed to in S. Con. Res. 19, sponsored by Mr. Domenici

Passed Senate on May 12, 1981. Conference Report Approved May 20 and 21, 1981.

Amended roll call No. 112 (78-20).

S. Res. 260, disapproves Deferral D82-193

Sponsored by Mr. Specter, and cosponsored by Mr. Kennedy; Mr. Metzenbaum; Mr. Weicker; Mr. Mathias; Mr. Durenberger; Mr. Levin; Mr. Riegle; Mr. Heflin; and Mr. Gorton.

Agreed to in Senate without amendment by Voice Vote, December 15, 1981.

COMMUNICATIONS

S. 271, International Record Carrier Competition Act of 1981

Amends the Communications Act of 1934 to terminate the jurisdiction of the Federal Communications Commission (FCC) over consolidations and mergers of telegraph carriers. Directs the FCC to require domestic telegraph carriers to provide communications facilities to any international telegraph carrier which makes a reasonable request for such facilities. Requires expeditious treatment of all applications by international record carriers to provide domestic telex service. Requires the FCC to continue for three years its oversight of the establishment of distribution formulas for unrouted outbound telegraph or record traffic and the division of revenue. Denies the FCC the authority to act upon any application by a domestic telegraph carrier to provide international telegraph or record service until 120 days after enactment.

Sponsored by Mr. Goldwater, was reported by the Senate Committee on Commerce, Science, and Transportation, and cosponsored by Mr. Packwood, Mr. Schmitt, Mr. Pressler, Mr. Stevens, Mr. Cannon, Mr. Hollings, and Mr. Inouye.

The Senate agreed to the following amendment:

S. Up. Amdt. No. 170, to clarify certain provisions relating to international record carriers, sponsored by Mr. Baker.

Passed Senate with an amendment by Voice Vote, June 22, 1981.

Passed Senate only.

S. 898, Telecommunications Competition and Deregulation Act of 1981

Title I: General.—Amends the Communications Act of 1934 to declare that such Act applies to, and the Federal Communications Commission (FCC) has jurisdiction over: (1) all interexchange and foreign telecommunications and all radio transmissions originating or received within the United States; (2) the licensing and regulating of all radio stations; and (3) all persons engaged in such telecommunications or radio transmissions within the United States.

Title II: Domestic Telecommunications.—Directs the FCC to establish a transition plan to foster marketplace competition and to implement deregulation for interexchange telecommunications services, equipment, and carriers.

Requires such plan to: (1) classify common carriers; (2) establish and implement an accounting system; (3) provide a procedure for the formation of fully separated affiliates and to monitor compliance; and (4) provide for practices and procedures for exchange access charges and a Universal Service Pool in substitution for existing arrangements.

Directs the FCC to revise, reduce, or eliminate rules with respect to telecommunication services or carriers operating in a competitive market. Grants the FCC continuing authority over the provision of regulated telecommunications services and carriers.

Authorizes FCC to regulation to: (1) deal with anticompetitive practices between any fully separated affiliate and the dominant-regulated carriers or its affiliates; and (2) protect users of telecommunications services in connection with dealings between any dominant-regulated carrier, its affiliates and any fully separated affiliate. Permits management personnel of any dominant-regulated carrier to direct operations of such carrier, any affiliate, and any fully separated affiliate as long as the costs of such direction are properly allocated. Directs the FCC to assure that the amendments made by this Act do not result in unreasonable charges for basic telephone service.

Prohibits the FCC from preventing or limiting, except in specified cases, the use of any technology or improvement for telecommunications services. Denies the FCC the authority to include in radio licenses any condition inconsistent with any limitation imposed upon its own authority over domestic telecommunications.

Requires the FCC to identify and classify those carriers serving more than 50,000 main and equivalent stations and deriving revenue from the provision of basic telephone service as regulated carriers. Classifies the American Telephone and Telegraph Company (AT&T) as a dominant-regulated carrier.

Directs the FCC to classify or reclassify, as a regulated carrier, any carrier which owns or controls telecommunications facilities for which there is no reasonably available alternative or which provides any other regulated service. Directs the FCC to classify or reclassify, as a dominant-regulated carrier, any regulated carrier which is dominant in the provision of telecommunications services in a substantial percentage of the total number of markets or submarkets for telecommunications services.

Prohibits: (1) the FCC or any State commission from regulating the resale of any telecommunications service; (2) any regulated carrier from establishing or enforcing any restrictions on the resale or use of any service provided by such carrier; and (3) any dominant-regulated carrier from engaging in any resale activity except through a fully separated affiliate.

Requires the Postal Service to meet specified requirements regarding provision of telecommunications services.

Authorizes the FCC to prescribe different requirements for different regulated carriers or to exempt carriers from the requirements of such Act relating to common carriers. Prohibits the FCC from imposing any requirements on unregulated carriers which are not specifically provided in such Act. Makes a regulated carrier liable for injuries to persons caused by violations of such Act.

Requires every telecommunications carrier and the Postal Service to establish, upon request interconnection of its regulated service with any: (1) telecommunications carrier; (2) telecommunications facility or private telecommunications system; and (3) customer premises equipment which meets certain standards. Prohibits such carrier from discriminating in an unreasonable or anticompetitive manner with respect to the conditions for interconnection.

Requires every telecommunications carrier to make available upon request any regulated telecommunications service and to establish tariffs in connection with such service. Makes unjust, unreasonable, or discriminatory tariffs unlawful.

Requires telecommunications carriers providing regulated telecommunications services to file with the FCC and publish: (1) the information the FCC needs to fulfill its obligations under this Act; and (2) the tariffs (schedules of charges) for regulated telecommunications services. Prohibits any regulated carrier from: (1) engaging in such services unless the tariffs have been filed and published; (2) charging a fee different from the one specified in such tariff; (3) refunding any portion of the charges so specified; and (4) extending to any person any privileges or enforcing any regulations affecting any charges except as specified in such tariff.

Prohibits any new or revised tariff from taking effect until the FCC has accepted it or accepted it with conditions. Provides for public notice and hearings on contested tariffs. Prohibits the FCC and any State commission from considering revenues derived from unregulated activities. Authorizes the FCC to exempt regulated carriers from the provisions relating to: (1) the effective dates of tariffs; and (2) publishing information on fees and practices.

Requires every regulated carrier subject to this Act to file with the FCC copies of all contracts or agreements with other carriers relations to regulated telecommunications service. Authorizes the FCC to require or exempt such carriers from filing copies of minor contracts.

Authorizes the FCC to appraise any or all of the property owned or used by any regulated carrier, and by any regulated exchange carrier which originates, terminates, or transfers interexchange or foreign telecommunications. Repeals the provision relating to the Interstate Commerce Commission valuation of such property.

Permits non-dominant-regulated carriers, upon notifying the FCC, to construct, acquire, or use new or extended exchange telecommunications facilities. Authorizes the FCC to require such carriers to obtain a certificate of public convenience and necessity before such construction, acquisition, or operation. Requires dominant-regulated carriers to obtain such a certificate. Permits the FCC to authorize a long-term facilities construction plan for a regulated carrier, rather than requiring such carrier to obtain a separate certification for each element of such plan. Authorizes the FCC to condition or refuse such certification.

Authorizes the FCC to require, after opportunity for a hearing, a regulated carrier to extend its facilities for the expeditious and efficient performance of its services.

Makes it lawful for telecommunications carriers jointly to meet, plan, and coordinate telecommunications networks under the auspices of the FCC. Provides no exemption for any carrier from the antitrust laws for any action taken by such carrier which is an antitrust violation when taken by a single carrier. Authorizes temporary or emergency augmentations or reductions of facilities without regard to these provisions.

Requires any dominant-regulated carrier and its affiliates to: (1) file with the FCC a description of the operational protocols and technical interface requirements for connection with or use of any regulated telecommunications services; and (2) report regularly to the FCC on specified changes and activities. Prohibits disclosure of such information to a fully separated affiliate until filed. Requires such information to be available to the public unless the FCC determines it would be detrimental to national security or emergency preparedness.

Requires the FCC to prescribe, and all regulated carriers to comply with, general records guidelines designed to accomplish a complete allocation of revenues and costs between regulated and unregulated goods and services. Requires the FCC to establish: (1) the classes of property used by any regulated carrier which are subject to the FCC's or any State commission's regulatory authority; and (2) the methods by which investments in such classes of property may be recovered. Permits such recovery methods to include capital recovery schedules or percentage depreciation schedules. Requires such methods to include specified provisions. Repeals the forfeiture provision for failure to keep required records.

Requires the FCC to establish a Joint Board to ascertain and apportion the costs of providing access to exchange facilities for interexchange services. Requires the FCC to establish uniform practices to ascertain and apportion such costs for comparable types of interconnections. Requires exchange carriers providing exchange access to file with the FCC a tariff governing the charges or to establish the charges for the use of its exchange facilities by any telecommunications carrier, any carrier providing foreign telecommunications services, any affiliate of such carrier, and certain private telecommunications systems.

Exempts certain small State-certified exchange carriers from such requirements. Authorizes the use of an averaged cost schedule rather than data from individual cost studies in calculating access charges for such State-certified exchange carriers. Authorizes State commissions to include in such charges any use of the exchange telecommunications facilities which originates or terminates interexchange telecommunications service. Requires the FCC to promulgate standards for such access charges within a specified time.

Requires each State commission to establish exchange telecommunications areas within its State. Requires any change in the boundaries of such areas after enactment of this Act to meet specified criteria.

Sets forth conditions concerning the relationship of a fully separated affiliate with its dominant-regulated carrier. Prohibits any dominant-regulated carrier and its fully separated affiliates from: (1) conducting business with each other on a discriminatory or preferential basis; (2) owning property jointly or in common, except international telecommunications property; or (3) engaging in any joint sales or marketing except advertising for which each party pays its pro rata share. Deems a dominant-regulated carrier to have established a fully separated affiliate only after the FCC finds that the relationships of such carrier with such affiliate comply with specified requirements.

Prohibits a dominant-regulated carrier from disclosing to any fully separated affiliate any commercial information acquired in providing regulated telecommunications services which would provide an unfair competitive advantage. Authorizes the FCC to require specific categories of information to be made generally available.

Establishes interim procedures for American Telephone and Telegraph Company (AT&T) research, development, and manufacturing activities until AT&T establishes such fully separated affiliates.

Requires AT&T to receive FCC approval before offering any telecommunications service or customer premises equipment on an unregulated basis.

Requires that the following equipment-related functions and activities, which must be offered exclusively by a fully separated affiliate, be performed by a fully separate affiliate or nonaffiliate by specified dates: (1) final assembly; (2) research and development activity relating to equipment design information used in final assembly or relating to software programming; (3) subassembly within such final assembly; and (4) the manufacture of any basic component within such final assembly.

Requires the establishment of an assets evaluation board to determine the value of assets transferred from AT&T to any fully separated affiliate. Permits the FCC to waive such transition schedule if intervening events beyond the control of AT&T render it incapable of compliance.

Requires research services and equipment transferred activities to a fully separated affiliate to be furnished to any fully separated affiliate for a fully compensatory amount not less than the amount charged to nonaffiliates for similar services and equipment. Requires business conducted in connection with such service or equipment to be conducted under terms the same as those between nonaffiliates. Exempts from such requirement any terms for such business which AT&T can demonstrate to the FCC result from more efficient operation and lower direct costs and not from the allocation of common overhead or other similar factors.

Prohibits the FCC from establishing requirements inconsistent with this Act which relate to: (1) the structure of any affiliate or fully separated affiliate; (2) activities of a dominant-regulated carrier which this Act requires to be conducted by a fully separated affiliate; or (3) the conduct of business between any dominant-regulated carrier or affiliate and any fully separated affiliate.

States that the 1956 consent decree involving AT&T shall not bar AT&T and any affiliates from providing telecommunications service or equipment, customer-premises equipment, or information service so long as unregulated telecommunications service is conducted by fully separated affiliates.

Prohibits, with specified exceptions, AT&T or any affiliate of AT&T from providing cable service, mass media service, or mass media product through any facility owned or controlled by AT&T or any affiliate within any area in which AT&T is providing exchange telecommunications service. Authorizes AT&T through certain separated affiliates to provide: (1) weather, time, and sports information; (2) any information service in which AT&T or any affiliate was engaged on a specified date; and (3) printed or electronic directory advertising.

Sets forth the benefits, rights, and entitlements of an employee transferred from a dominant-regulated carrier or an affiliate to a fully separated affiliate. Permits a fully separated affiliate and any union representing the employees of such unit to enter into a collective bargaining agreement which will supersede any such agreement between such carriers and the transferred employee.

Authorizes the FCC to coordinate the development and establishment of arrangements among regulated interexchange and carriers providing foreign telecommunications for mutual backup, restoration, and interconnection of each other's services necessary for national security.

Authorizes the President to require any carrier subject to this Act to furnish, for compensation, telecommunications services or facilities to any Federal agency if such service is necessary to promote national security. Directs the President to coordinate any government program for enhancing the survivability of exchange, interexchange, and international telecommunications facilities and protecting against the unauthorized interception of telecommunications traffic.

Directs the Chairman of the FCC to designate an "Emergency Preparedness Commissioner" responsible for developing such backup systems.

Prohibits the FCC or any State from regulating the production, marketing, or other provision of customer-premises equipment or information services. Directs the FCC to prescribe regulations for separate pricing on a fair market value basis of such equipment or services or cable services offered in conjunction with a regulated service by a regulated carrier.

Permits the FCC to establish and enforce minimum uniform technical standards for customer-premises telecommunications equipment. Authorizes the FCC to establish labeling requirements for such equipment.

Exempts the use of any information processing capability in support of a telecommunications service or system from the provisions of this Act concerning the provision of an information service.

Prohibits any dominant-regulated carrier from providing any customer-premises equipment, except through a fully separated affiliate after a specified time.

Authorizes the FCC, until a specified time, to require any unregulated carrier to continue to interconnect its telecommunications facilities with any person for a reasonable period of time if withdrawal of such interconnection would result in an unreasonable hardship.

Requires each regulated carrier to continue, for a specified time, to provide under tariff any telecommunications service which such carrier is providing upon the enactment of this Act. Directs the FCC to determine which of such services will continue to be regulated, or shall be unregulated through a fully separated affiliate, or subject to specified safeguards.

Authorizes the FCC to determine what basic telecommunications service should be universally available. Permits any person to petition the FCC to classify any interexchange telecommunications service as basic. Directs the FCC to hold a hearing upon granting such petition to determine the terms and conditions of such service. Presumes that unregulated market place competition will universally provide such service, unless it is clearly and convincingly demonstrated that regulation in necessary. Permits the FCC to review any such determination and terminate requlation of service when regulation is no longer necessary.

Prohibits any regulated telecommunications carrier from also engaging in providing cable services in the same operating area unless the FCC finds that such provision by a regulated carrier will provide significant additional media diversity and competition.

Authorizes telecommunications carriers serving certain rural areas to provide cable television services subject to conditions prescribed by the FCC.

Title III: Miscellaneous Provisions.—Makes certain technical amendments.

Title IV: Conforming Amendments.—Makes certain conforming amendments to the Criminal Code and the Clayton Act. Disavows any intent to affect the applicability of the antitrust laws and any pending litigation.

Sponsored by Mr. Packwood, was reported by the Senate Committee on Commerce, Science, and Transportation, and cosponsored by Mr. Stevens, Mr. Goldwater, and Mr. Schmitt.

The Senate agreed to the following amendments:

S. Up. Amdt. No. 466, to include "consolidated statistical areas" for densely populated areas, sponsored by Mr. Bradley.

S. Up. Amdt. No. 467, to preserve reasonable rates for basic telephone service, sponsored by Mr. Bradley.

S. Up. Amdt. No. 468, to establish procurement policies for fully separated affiliates, sponsored by Mr. Thurmond joined by Mr. Baker, and Mr. Packwood.

S. Up. Amdt. No. 469, to compromise cable fees, sponsored by Mr. Cannon joined by Mr. Packwood.

S. Up. Amdt. No. 470, to provide not less than one very high frequency commercial television broadcasting station be located in each State, sponsored by Mr. Bradley joined by Mr. Williams, Mr. Roth, and Mr. Biden.

S. Up. Amdt. No. 471, to amend the Communications Act of 1934 to protect rate payers of basic, regulated, and exchange telecommunications services, sponsored by Mr. Cannon joined by Mr. Huddleston.

S. Up. Amdt. No. 473, to revise certain provisions relating to exchange access areas, sponsored by Mr. Packwood.

S. Up. Amdt. No. 475, to clarify provisions relating to electronic mail, sponsored by Mr. Stevens.

S. Up. Amdt. No. 541, to delete certain provisions relating to the authority of the Federal Communications Commission, state government, and local government with regard to cable television, and to delete provisions relating to pole attachments, sponsored by Mr. Goldwater joined by Mr. Boschwitz, Mr. Levin, Mr. Wallop, and Mr. Pressler.

S. Amdt. No. 578, to amend the Communications Act of 1934 to ensure that telephone users pay reasonable rates, sponsored by Mr. Hollings.

Passed Senate with amendments by Yea-Nay Vote. 90-4. Record Vote No. 311, October 7, 1981.

CONGRESS

S. 1224, amends the provisions of title 39, United States Code, relating to the use of the frank, and for other purposes

Prohibits Members of Congress from sending specified types of mail matter as franked mail and restricts the use of franked mail by Members during election campaigns. Limits the number of pieces which may be sent as franked mail. Expands the advisory jurisdiction of the House Commission on Congressional Mailing Standards of the House of Representatives. Extends to surviving relatives the franking privilege of the spouse of a Member who died in office in the event there is no surviving spouse.

Sponsored by Mr. Stevens, was reported by the Senate Committee on Governmental Affairs, and cosponsored by Mr. Packwood and Mr. Andrews.

Signed by the President on October 26, 1981 and became Public Law No. 97-69.

S. 1976, amends the Act of July 31, 1946, as amended (40 U.S.C. 193A)

Sponsored by Mr. Stevens.
Passed Senate by Voice Vote, December 16, 1981.

H.R. 4755, grants a Federal charter to the organization known as the Former Members of Congress

Passed Senate with an amendment on December 16, 1981.

H. Con. Res. 106, authorizes printing "How Our Laws Are Made" as a House Document

Authorizes the printing as a House document of the brochure entitled "How Our Laws Are Made," as set out in the Ninety-sixth Congress. Provides for the selection of a suitable cover by the chairman of the Committee on the Judiciary and a foreward by the Honorable Peter W. Rodino, Jr., of New Jersey. Authorizes additional printing for the use of such committee and Members of the House.

Passed Senate amended on November 5, 1981.

H. Con. Res. 133, authorizes the National Park Service to sponsor four National Symphony Orchestra concerts annually on the Capitol Grounds

Resolution agreed to in Senate without amendment and with a preamble by Voice Vote, May 21, 1981.

S. Res. 263, authorizes payment of gratuity to survivors of deceased Senate Employee

Passed Senate on December 15, 1981.

S. Res. 264, authorizes payment of gratuity to survivor of deceased Senate employee

Passed Senate on December 15, 1981.

S. Res. 271, appoints a committee to notify the President concerning the proposed adjournment of the Session

Sponsored by Mr. Baker.
Passed Senate by Voice Vote, December 16, 1981.

S. Con. Res. 57, provides for the sine die adjournment of the ninety-seventh Congress, first session

Sponsored by Mr. Baker.
Passed Senate by Voice Vote, December 16, 1981.

.J. Res. 377, provides for the convening of the second session of the ninety-seventh Congress

Passed Senate by Voice Vote, December 16, 1981.

S. Res. 273, authorizes the President of the Senate and the President of the Senate Pro Tempore to make certain appointments after the sine die adjournment of the present session

Sponsored by Mr. Byrd, of West Virginia.
Passed Senate by Voice Vote, December 16, 1981.

S. Res. 274, authorizes the President of the Senate to sign enrolled bills and resolutions

Sponsored by Mr. Baker.
Passed Senate by Voice Vote, December 16, 1981.

S. Res. 275, tenders the thanks of the Senate to the Vice President for the courteous, dignified, and impartial manner in which he has presided over the deliberations of the Senate

Sponsored by Mr. Baker.
Passed Senate by Voice Vote, December 16, 1981.

S. Res. 276, tenders the thanks of the Senate to the President Pro Tempore for the courteous, dignified, and impartial manner in which he has presided over the deliberations of the Senate

Sponsored by Mr. Byrd, of West Virginia.
Passed Senate by Voice Vote, December 16, 1981.

S. Res. 277, commends the conduct of the distinguished Majority Leader

Sponsored by Mr. Thurmond.
Passed Senate by Voice Vote, December 16, 1981.

S. Res. 278, commends the extraordinarily cooperative conduct of the distinguished Minority Leader

Sponsored by Mr. Thurmond.
Passed Senate by Voice Vote, December 16, 1981.

S. Res. 182, directs the Secretary of the Senate to pay a gratuity to the widow of a deceased employee of the Senate

Sponsored by Mr. Mathias.
Agreed to in Senate without amendment by Voice Vote, July 24, 1981.

S. Res. 183, directs the Secretary of the Senate to pay a gratuity to the children of a deceased employee of the Senate

Sponsored by Mr. Mathias.
Agreed to in Senate without amendment by Voice Vote, July 24, 1981.

S. Res. 184, directs the Secretary of the Senate to pay a gratuity to the widow of a deceased employee of the Senate

Sponsored by Mr. Mathias.
Agreed to in Senate without amendment by Voice Vote, July 24, 1981.

S. Res. 185, directs the Secretary of the Senate to pay a gratuity to the widow of a deceased employee of the Senate

Sponsored by Mr. Mathias.

Agreed to in Senate without amendment by Voice Vote, July 24, 1981.

S. Res. 186, directs the Secretary of the Senate to pay a gratuity to the widower of a deceased employee of the Senate

Sponsored by Mr. Mathias.

Agreed to in Senate without amendment by Voice Vote, July 24, 1981.

S. Res. 187, directs the Committee on Rules and Administration to prepare a revised edition of the Senate Rules and Manual for the use of the ninety-seventh Congress. Authorizes the printing of such manual as a Senate document

Sponsored by Mr. Mathias.

Agreed to in Senate without amendment by Voice Vote, July 24, 1981.

S. Res. 188, authorizes the Committee on Rules and Administration to expend a specified amount for the purchase of 104,000 calendars for distribution as prescribed by such Committee

Sponsored by Mr. Mathias.

Agreed to in Senate without amendment by Voice Vote, July 27, 1981.

S. Res. 189, authorizes expenditures by the Committee on Commerce, Science, and Transportation for the training of its professional staff

Sponsored by Mr. Packwood, was reported by the Senate Committee on Rules and Administration.

Agreed to in Senate without amendment by Voice Vote, July 27, 1981.

DEFENSE—NATIONAL SECURITY

S. 694, Department of Defense Supplemental Authorization Act, 1981

Title I: Procurement.—Authorizes the appropriation of additional funds for fiscal year 1981 for the use of the armed forces for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles.

Title II: Research, Development, Test, and Evaluation.—Authorizes the appropriation of additional funds for fiscal year 1981 for the use of the armed forces for research, development, test, and evaluation.

Title III: Active Forces.—Amends the Department of Defense Authorization Act, 1981, to increase the active duty personnel end strengths of the Army, Navy, Marine Corps, and Air Force.

Title IV: Reserve Forces.—Amends the Department of Defense Authorization Act, 1981, to increase the number of reserve component members authorized to serve on fulltime active duty with the Marine Corps Reserve for the purpose of organizing administrating, recruiting, instructing, or training.

Title V: Civilian Personnel.—Amends the Department of Defense Authorization Act, 1981, to increase the number of civilian personnel authorized for the Department of Defense.

Title VI: Military Construction.—Authorizes the appropriation of additional funds for fiscal year 1981 for military construction operations. Amends the Military Construction Authorization Act, 1981, to decrease: (1) the authorization for construction or acquisition of military family housing; and (2) the authorization for support of such housing. Permits the Secretary of Defense to establish or develop facilities for the Air National Guard utilizing additional authorizations.

Amends the Military Construction Authorization Act, 1980, to decrease the number of family housing units authorized for Tinker Air Force Base, Oklahoma. Authorizes the construction of such housing on base.

Sponsored by Mr. Tower, was reported by the Senate Committee on Armed Services, and cosponsored by Mr. Stennis.

The Senate agreed to the following amendment:

S. Up. Amdt. No. 55, to eliminate entitlement to continue a submarine duty incentive pay in certain cases not intended to be included in the committee amendment, sponsored by Mr. Tower.

Signed by the President on August 14, 1981 and became Public Law No. 97-39.

S. 815, Department of Defense Authorization Act, 1982

Title I: Procurement.—Authorizes appropriations for the Armed Forces for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons. Sets conditions for the obligation of funds for the following programs: (1) Companion Trainer Aircraft Program; (2) Sealift vessels; (3) XM-1 Battle Tank; (4) Fighting Vehicle System; and (5) Light Armored Vehicles. Permits the Secretary of Defense, in carrying out the Multilateral Memorandum of Understanding Between the North Atlantic Treaty Organization (NATO) Ministers of Defense concerning the NATO Airborne Warning and Control System (AWACS) Program, to waive reimbursement for the cost of specified functions performed by other personnel and to assume contingent liability for program losses and specified charges for fiscal year 1982.

Title II: Research, Development, Test, and Evaluation.—Authorizes appropriations for the armed forces for research, development, test, and evaluation for fiscal year 1982. Requires the Secretary of the Army to report to the appropriate Congressional committees a comprehensive evaluation of reasonable alternatives to the Standoff Target Acquisition System. Requires the Secretary of the Navy to assume full responsibility for the development of lightweight armored vehicles for use by ground combat forces. Sets conditions for the obligation of funds for the following programs: (1) ships, submarines, and boat technology; and (2) the MX Missile. Provides for veto of funding by passage by both Houses of Congress of a resolution disapproving the President's decisions on the M-X missiles basing mode within 60 days after receipt of a Presidential report containing such decisions.

Title III: Operation and Maintenance.—Authorizes appropriations for the armed forces (other than the Coast Guard) and for other activities and agencies of the Department of Defense for operation and maintenance purposes. Authorizes additional sums for increases in benefits for civilian employees of the Department of Defense.

Title IV: Active Forces.—Establishes end strength levels for fiscal year 1982 for active duty personnel for the Army, Navy, Marine Corps, and the Air Force. Extends through fiscal year 1982 the limitation on the number of non-high school graduates with no prior military service that may be enlisted or inducted into the armed forces.

Title V: Reserve Forces.—Establishes average strengths for fiscal year 1982 for: (1) the Army National Guard; (2) the Army Reserve; (3) the Naval Reserve; (4) the Marine Corps Reserve; (5) the Air National Guard; (6) the Air Force Reserve; and (7) the Coast Guard Reserve. Sets forth the number of Reserves serving on full-time active duty to administer, recruit, or train the Reserve components. Provides for the adjustment of average strength levels in the national interest and as specified.

Increases the number of enlisted personnel who may be on active duty in support of the Reserve components for fiscal year 1982.

Title VI: Civilian Personnel.—Establishes an end strength level for civilian personnel for the Department of Defense for fiscal year 1982. Specifies the apportionment of such personnel among the various military branches and departments. Requires the Secretary of the Army to report to Congress on the utilization of such personnel within 60 days. Specifies the types of civilian employees to be included in such end levels. Permits the Secretary to increase the number of civilian personnel beyond the authorized end strength as specified. Exempts from certain reporting requirements the conversion to private contractors of commercial and industrial type functions performed by fewer than 50 Department of Defense Personnel.

Title VII: Military Training Student Loads.—Establishes average military training student loads for fiscal year 1982.

Title VIII: Attack-Related Civil Defense.—Authorizes appropriations for fiscal year 1982 to carry out the provisions of the Federal Civil Defense Act of 1950. Amends such Act to increase the amount that may be contributed to States for personnel and administrative expenses.

Title IX: General Provisions.—Sets conditions for the obligation of funds for the full-scale engineering development or procurement of a long range combat aircraft. Provides for veto of such funding by passage by both Houses of Congress, within 60 days of its receipt, of resolutions disapproving the President's report on such a development or procurement program. Requires the Secretary of Defense to report to Congress on a comparison of the equitable shares of the mutual defense burdens of the member nations of the North Atlantic Treaty Organization (NATO) and of Japan.

Requires the annual authorization of appropriations for procurement of ammunition for the Army and other specified procurement. Repeals the profit limitations on contracts for aircraft and naval vessels. Amends the Department of Defense Appropriation Authorization Act, 1976, to increase the cancellation ceiling on multiyear procurement contracts. Directs the Secretary of Defense, after considering certain factors, to specify in the Department of Defense request for authorization of appropriations which weapons programs should be procured under multi-year contracts.

Prohibits the use of appropriated funds to pay a price differential to relieve economic dislocations.

Exempts the procurement of automatic data processing equipment or services involving military intelligence matters from laws otherwise applicable to the acquisition of such equipment or services.

Prohibits the Department from awarding a sole-source contract in excess of $100,000 except as specified.

Eliminates the increase in the retired and retainer pay of members and former members of the uniformed services which would have been effective September 1, 1981. Reformulates the computation of any future increases for such members and for certain employees of the Central Intelligence Agency.

Amends the Department of Defense Authorization Act, 1978, to delay the effective date for establishing a ceiling on the number of senior-grade civilian employees of the Department. Sets forth the management policy for civilian personnel of the Department.

Makes the United States liable for specified tort actions of members of the Army or Air National Guard.

Establishes a Director of the Defense Security Assistance Agency to advise the Secretary on security assistance matters and to supervise such activities.

Directs the Secretary to report annually to Congress concerning the equipment of the National Guard and the reserve components of the armed forces.

Permits the Secretary of Defense to make available to Federal, State, or local civilian law enforcement officials information, equipment, facilities and training and advisory personnel to assist law enforcement efforts. Directs the Secretary to issue regulations concerning the furnishing of and reimbursement for such assistance.

Amends the Military Selective Service Act to require any person required to register under such Act to furnish his social security number. Grants the Director of Selective Service access to Federal Government records on any such persons.

Authorizes the Secretary to assist in the Yorktown Bicentennial Celebration. Authorizes appropriations for such purpose.

Sponsored by Mr. Tower, was reported by the Senate Committee on Armed Services, and cosponsored by Mr. Stennis.

The Senate agreed to the following amendments:

S. Up. Amdt. No. 95, to increase the maximum amount of servicemen's Group Life Insurance and Veterans' Group Life Insurance from $20,000 to $35,000, sponsored by Mr. Proxmire joined by Mr. Glenn, and Mr. Durenberger.

S. Up. Amdt. No. 96, to amend rights, privileges, or benefits based upon all or any part of the service performed by certain persons during such period of active duty, sponsored by Mr. Simpson.

S. Up. Amdt. No. 97, to declare support for the President in reopening nuclear arms control talks to enhance our national security, sponsored by Mr. Hart joined by Mr. Kennedy, Mr. Levin, Mr. Cohen, Mr. Cranston, Mr. Dixon, Mr. Tower, and Mr. Garn.

S. Up. Amdt. No. 98, to provide $13 million for the deployment of 50 Minuteman III missiles as substitutes for Minuteman II missiles, sponsored by Mr. Schmitt.

S. Up. Amdt. No. 99, to prohibit the Department of Denfense from entering into contracts with any offeror or contractor who has been debarred or suspended by any other agency, sponsored by Mr. Cohen joined by Mr. Levin, and Mr. Pryor.

S. Up. Amdt. No. 100, to strike language relating to the enforcement of Selective Service registration, sponsored by Mr. Jepsen joined by Mr. Exon.

S. Up. Amdt. No. 102, relating to sole source contracting, sponsored by Mr. Pryor.

S. Up. Amdt. No. 103, to authorize $30 million for the Air Force and $20 million for DARPA for space-based laser weapons research and to direct the Air Force to establish a Program Management Office and to provide a detailed systems definition report to the Armed Services Committees, sponsored by Mr. Wallop joined by Mr. Warner, Mr. Schmitt, Mr. Goldwater, Mr. Symms, Mr. East, Mr. Helms, Mr. Armstrong, Mr. Dole, Mr. Laxalt, Mr. Simpson, Mr. Inouye, Mr. Hayakawa, Mr. Tower, Mr. Cohen, Mr. Thurmond, Mr. Chafee, Mr. Nickles, Mr. Garn, and Mr. Hatch.

S. Up. Amdt. No. 104, to adjust funds authorized for certain purposes and to authorize the Air Force research and development account to be credited with $60,000,000 realized from the foreign sale of aircraft, sponsored by Mr. Tower joined by Mr. Goldwater, Mr. Jackson, and Mr. Stennis.

S. Up. Amdt. No. 105, to help control the increasing costs of major defense systems, sponsored by Mr. Nunn joined by Mr. Rudman, Mr. Stennis, Mr. Mitchell, Mr. Mattingly, Mr. Exon, Mr. Hollings, Mr. Hatfield, Mr. Dixon, Mr. DeConcini, Mr. Gorton, Mr. Byrd of West Virginia, Mr. Bentsen, Mr. Levin, Mr. Glenn, Mr. Randolph, Mr. Moynihan, Mr. Jackson, Mr. Durenberger, Mr. Boschwitz, and Mr. Bumpers.

S. Up. Amdt. No. 107, to permit for a period of one additional year the use of Department of Defense funds to be used under certain types of contracts to relieve economic dislocations, sponsored by Mr. Warner.

S. Up. Amdt. No. 108, to SU107, requiring the President to report to Congress, sponsored by Mr. Moynihan.

S. Up. Amdt. No. 109, to provide funds for research and development on a Survivable Optical Forward Acquisition System (SOFAS), sponsored by Mr. Domenici joined by Mr. Laxalt, Mr. Heflin, Mr. Hatch, Mr. Kasten, Mr. Abdnor, Mr. Denton, Mr. Hollings, Mr. Glenn, Mr. Symms, Mr. Nickles, Mr. Wallop, Mr. DeConcini, Mr. Durenberger, Mr. Johnston, Mr. Schmitt, Mr. Garn, and Mr. Heinz.

S. Up. Amdt. No. 110, to reduce DOD authorizations by the amount added in Senate floor action, sponsored by Mr. Tower.

S. Up. Amdt. No. 111, to make changes of a technical and clarifying nature, sponsored by Mr. Tower.

Signed by the President on December 1, 1981 and became Public Law No. 97-86.

S. 831, Coast Guard Authorization Act of 1982

Title I: Authorization of Appropriations for Fiscal Year 1982.—Authorizes appropriations for the Coast Guard for fiscal year 1982 for: (1) operation and maintenance expenses; (2) acquisition, construction, rebuilding, and improvements of aids to navigation, shore facilities, vessels, and aircraft; (3) the alteration or removal of bridges over navigable waters; and (4) research, development, testing, and evaluation. Permits the Coast Guard an end-year strength of 39,904 active duty personnel. Authorizes average military training student loads.

Title II: Coast Guard Management.—Authorizes the Coast Guard to place orders for materials, supplies, equipment, work or services of any kind that any requisitioned Federal agency may be in a position to supply or obtain. Excludes specified reserve officers on active duty from the active duty promotion list. Makes the rear admiral designated by the Commandant to the position of Chief of Staff the senior rear admiral for all purposes other than pay.

Eliminates a reservist's exemption from registration and liability for military training and service under other laws.

Increases the authorization of appropriations for the operation and maintenance of the Coast Guard for fiscal year 1981. Increases the end-year strength of active duty personnel for fiscal year 1981 from 39,600 to 39,819. Permits the Commandant of the Coast Guard to authorize the installation and use of telephones in residences leased or owned by the Government of the United States to assure efficient response to extraordinary operational contingencies.

Sponsored by Mr. Packwood, was reported by the Senate Committee on Commerce, Science, and Transportation.

Passed Senate with an amendment by Voice Vote, May 4, 1981.

S. 1181, Uniformed Services Pay and Benefits Act of 1981

Increases for members of the uniformed services according to specified schedules: (1) the monthly basic pay; (2) the basic allowance for subsistence; and (3) the basic allowances for quarters. Increases the monthly pay for cadets and midshipmen.

Increases the incentive pay for the performance of hazardous duty by enlisted crew members according to a specified schedule. Aviation career incentive pay, particularly for specified officers who have frequently and regularly performed operational or proficiency flying duty required by orders for over 25 years. Excludes time spent as an enlisted member of the Navy when determining incentive pay for officers for the frequent and regular performance of operational submarine duty required by orders. Increases the special pay for diving duty. Permits a member to receive both such special pay and incentive pay for hazardous duty if such member is assigned by orders to perform specified duties.

Permits an unserved period of an enlistment to be considered as part of an immediately subsequent term of reenlistment for bonus purposes. Requires that such bonus be paid in periodic installments rather than giving the member the option of lump sum payment. Establishes a bonus for enlistment in the Army. Permits nuclear-qualified officers of the naval service to execute a new active-service agreement for one period of not more than four years as specified.

Prohibits the payment of travel and transportation allowances to members upon separation from service or release from active duty unless such member has served at least 90 percent of the time such member originally agreed to serve. Exempts members who retire, who are placed on the temporary disability retired list, if such members have completed 18 years of service. Limits the amount of reimbursement to allowances payable for transportation to location within the 48 contiguous states.

Permits the reimbursement of subsistence expenses incurred by a member of a uniformed service and the member's dependents during a period of up to four days while occupying temporary quarters incident to a change of permanent station. Limits the amount of such reimbursement to $110 a day. Permits the advance payment of departure, dependent transportation and dislocation allowances. Authorizes a member of a uniformed service who is denied leave between two tours of duty overseas because of military necessity to use travel and transportation allowances from his current duty station at the first time the member is granted leave.

Permits the payment of transportation allowances to a member of a uniformed service and authorized dependents serving at a specifically designated duty station abroad to another location abroad having different social, climatic, or environmental conditions than those at the duty station, or to the United States. Permits the payment of roundtrip transportation expenses for a member stationed overseas and authorized dependents incident to emergency leave granted for reasons of personal emergency. Permits the payment of travel and transportation allowances to a member of a uniformed service performing temporarly duty away form his permanent duty station to return to such station or another location.

Entitles members of the Armed Forces Health Professions Scholarship Program to an initial uniform allowance. Permits members of such program to be advanced up to one month's pay upon reporting for active duty.

Excludes involuntary leave taken by a member of an armed force during the appellate review of certain courts-martial convictions from the period of active service for purposes of determining leave entitlement and accumulation. States that such member may be required to begin such leave at any time on or after sentence is approved. Sets forth pay entitlements during such periods. Prohibits punishment before trial without regard to the effective date of sentences. Permits the accused to be represented by more than one military counsel as specified. Extends from 30 to 60 days the period during which an accused may petition the Court of Military Appeals for review of a decision of a Court of Military Review. Requires an application for modification or vacation of a sentence or findings in a courts-martial case which has been finally reviewed, but not reviewed by a Court of Military Review to be made within two years of sentencing.

Authorizes the Secretary of Defense to collect and compile directory information on each student who is 17 years old or older or who is in 11th grade. Permits such information to be made available to the armed forces for recruitment. Limits the time such information may be held to three years.

Reformulates the computation of the authorized daily average number of enlisted members in specified pay grades. Increases the number of cadets and midshipmen in the reserve of an armed force who may be in financial assistance programs at any one time.

Permits each of the Superintendents of the Service academies to nominate up to 50 persons a year for appointment a cadets at their respective academies. States that each company in the Corps of Cadets shall be commanded by a commissioned officer of the Army, Navy, Air Force, or Marine Corps rather than just by and Army officer.

Authorizes the Secretary of the Navy to prescribe regulations to carry out his functions, powers, and duties. Eliminates per diem for members of the Naval Research Advisory Committee. Eliminates the date by which a nomination by a member of Congress for a vacancy in the Naval Academy must be submitted.

Increase the amount of reimbursement for quarters for a member of the uniformed service on sea duty deprived of quarters on ship. Extends the period of such reimbursement through fiscal year 1982. Limits the total amount of such reimbursement for fiscal years 1981 and 1982.

Amends the Military Selective Service Act to require each person presenting himself for registration to furnish his social security number to the Director of the Selective Service. Grants the Director access to information about such persons contained in the records of any department or agency of the Federal Government.

Limits the total amount of aviation career incentive pay an officer may receive during a specified period.

Sponsored by Mr. Jepsen, was reported by the Senate Committee on Armed Services, and cosponsored by Mr. Mattingly, Mr. DeConcini, Mr. Tower, Mr. Kasten, Mr. Chafee, Mr. Moynihan, Mr. Warner, and Mr. Heinz.

The Senate agreed to the following amendments:

S. Up. Amdt. No. 348, to delete from the bill provisions pertaining to Selective Service System draft registration enforcement, sponsored by Mr. Exon joined by Mr. Jepsen.

S. Up. Amdt. No. 349, sponsored by Mr. Tower.

S. Up. Amdt. No. 350, relating to sea pay to members of two-crew SSBN vessels, sponsored by Mr. Tower.

S. Up. Amdt. No. 351, technical amendment to section 5(a) pertaining to payment of aviation career incentive pay, sponsored by Mr. Jepsen.

S. Up. Amdt. No. 352, to amend the Military Selective Service Act to permit persons over 65 years of age and retired military personnel to serve on local boards of the Selective Service System, sponsored by Mr. Boschwitz.

Signed by the President on October 14, 1981 and became Public Law No. 97-60.

H.R. 2903, extends from September 30, 1981, to September 30, 1982, the expiration date of the Defense Production Act of 1950

Measure signed in Senate on September 28, 1981 and signed by the President on September 30, 1981.

H.R. 3454, Intelligence Authorization Act for Fiscal Year 1982

Title I: Intelligence Activities.—Authorizes appropriations for fiscal year 1982 for intelligence and intelligence-related activities in specified departments and agencies of the U.S. Government.

Title II: Intelligence Community Staff.—Authorizes appropriations for the Intelligence Community Staff for fiscal year 1982.

Establishes an end strength ceiling of 245 full-time Intelligence Community Staff employees.

Title III: Central Intelligence Agency Retirement and Disability System.—Authorizes appropriations for fiscal year 1982 for the Central Intelligence Agency Retirement and Disability Fund.

Title IV: Supplemental Authorization for the Fiscal Year 1981.—Authorizes supplemental appropriations for fiscal year 1981 for the conduct of intelligence activities of the U.S. Government.

Title V: General Provisions.—Amends the National Security Act of 1947 to revise the per diem compensation rate for members of advisory committees.

Amends the Central Intelligence Agency Act of 1949 to authorize CIA personnel to carry firearms as necessary for the performance of Agency functions (currently, such authority extends to transportation of confidential documents).

Prohibits the unauthorized use of the names, initials, and seals of the Cental Intelligence Agency and the National Security Agency. Permits the personnel of such agencies to receive allowances and benefits authorized under the Foreign Service Act of 1980.

Requires the Director of the National Security Agency to arrange for appropriate language and related training of military and civilian cryptologic personnel.

Amends the Federal criminal code to add to current penalties for killing officers and employees of the United States penalties for: (1) attempting to kill; and (2) killing, or attempting to kill, any officer or employee of any department of agency within the Intelligence Community.

Establishes as new offenses the murder, manslaughter, assault, threat against, extortion, or kidnapping of: (1) persons given entry into the United States for permanent residence pursuant to the Central Intelligence Agency Act of 1949; and (2) persons present in the United States under intelligence auspices.

Title VI: Personnel Management Provisions—Subtitle A: Defense Intelligence Agency.—Defense Intelligence Agency Personnel Management Act of 1981—Authorizes the Secretary of Defense to establish such civilian positions in the Defense Intelligence Agency as may be necessary to carry out its functions.

Authorizes the Secretary to establish a Senior Defense Intelligence Executive Service, consisting of not more than 27 positions, in the Defense Intelligence Agency comparable to the Senior Executive Service. Authorizes the additional appointment of individuals to the Service in professional engineering and scientific positions and positions in the physical and natural sciences, medicine, and military intelligence.

Authorizes the President to award to any Senior Defense Intelligence Executive Service appointee the rank of Meritorious or Distinguished Defense Intelligence Executive.

Requires the Director of the Defense Intelligence Agency to report biennially to the Congressional intelligence committees on the Senior Defense Intelligence Executive Service.

Subtitle B: National Security Agency.—Senior Cryptologic Executive Service Act of 1981—Authorizes the Secretary of Defense to establish a Senior Cryptologic Service within the National Security Agency comparable to the Senior Executive Service.

Directs the National Security Agency to report annually to the Congressional intelligence committees on the Service.

Measure signed in Senate on November 20, 1981 and signed by the President on December 4, 1981 and became Public Law No. 97-89.

Measure passed Senate, amended, in lieu of S. 1127.

H.R. 3455, Military Construction Authorization Act, 1982

Title I: Army.—Authorizes the Secretary of the Army to establish or develop military installations and facilities at specified locations. Authorizes appropriations in specified amounts for each of these locations. Authorizes the Secretary to establish or develop other installations by proceeding with construction made necessary by unforeseen security considerations, new weapons development, new and unforeseen research and development requirements, improved production schedules or revisions in the tasks or functions assigned to a military installation or for environmental considerations if the Secretary of Defense determines that deferral of such construction for inclusion in the next Military Construction Authorization Act would be inconsistent with the national security. Authorizes appropriations for such emergency construction. Authorizes the Secretary to accomplish minor construction projects in a specified amount.

Amends the Military Construction Authorization Act of 1980 and 1981 to increase the authorization levels for specified projects.

Title II: Navy.—Authorizes the Secretary of the Navy to establish or develop military installations and facilities at specified locations. Authorizes the Secretary to establish or develop other installations were necessary under the same conditions as those relating to the Secretary of the Army under title I of this Act. Authorizes the Secretary to accomplish minor construction projects in a specified amount. Authorizes the Secretary to acquire interests in lands by exchange of Government-owned lands to ensure unhampered air operations at the Naval Air Station, Key West, Florida.

Permits the Secretary to construct steam lines and facilities to lay into the waste heat recovery boilers of the Macalloy Corporation and to contract with such Corporation to supply steam to the Naval Station, Charleston, South Carolina if it would be cost effective. Requires Congressional review for 30 days before a contract may be entered.

Title III: Air Force.—Authorizes the Secretary of the Air Force to establish or develop military installations and facilities at specified locations. Authorizes appropriations in specified amounts for each such location. Authorizes the Secretary to establish or develop additional facilities where necessitated by those factors enumerated in title I of this Act. Authorizes the Secretary to accomplish minor construction projects in a specified amount. Amends the Military

Construction Authorization Acts of 1977, 1979, 1980, and 1981 to increase the authorization levels for specified projects.

Prohibits the expenditure of appropriations for the MX missile system until the President selects and certifies to Congress a specific basing mode for such system and Congress does not adopt resolutions of disapproval within 60 days. Requires the Secretary of Defense to submit to Congress: (1) a report justifying the mode selected; and (2) an evaluation of the modes available; and (3) an economic impact and Federal financial assistance plan for the State and local communities affected by the basing mode selected.

Title IV: Defense Agencies.—Authorizes the Secretary of Defense to establish or develop military installations at specified locations, and authorizes appropriations in specified amounts for each such location. Authorizes the Secretary to establish or develop additional facilities which are determined to be vital to the security of the United States. Authorizes appropriations for such purpose. Authorizes the Secretary to accomplish minor construction projects in a specified amount.

Title V: North Atlantic Treaty Organization Infrastructure.—Authorizes the Secretary of Defense to incur NATO facilities construction costs up to a specified amount. Requires the Secretary to report to the Senate and the House Armed Services and Appropriations Committees concerning such costs.

Title VI: Military Family Housing and Homeowners Assistance Program.—Authorizes the Secretary of Defense to construct or acquire military family housing. Requires the Secretary to consult with the Secretary of Housing and Urban Development as to the availability of private housing in a U.S. locale before constructing any family housing at such location. Directs the Secretary to give the appropriate Congressional committees 30 days notice of any disagreement as to housing availability with the Secretary of HUD before contracting for construction. Authorizes appropriations for such housing at specified locations in the United States and overseas.

Authorizes the Secretary to: (1) improve existing quarters; and (2) provide for advance planning and construction design, including architectural and engineering services. Limits the amounts that may be expended for such purposes.

Increases the number of family housing units that may be leased in a foreign country. Increases the number of units which the Secretary may exempt from cost limitations. Authorizes appropriations for military family housing for fiscal year 1982, including construction, operating costs, mortgage costs under the National Housing Act, and for homeowners assistance under the Demonstration Cities and Metropolitan Development Act of 1966.

Title VII: Authorization of Appropriations and Administrative Provisions.—Authorizes the Secretaries of the various military departments to develop installations under this Act without regard to provisions of law which prohibit the advancement of public monies and which require the submission of detailed cost estimates to Congress.

Establishes expenditure ceilings for each title of this Act.

Authorizes limited increases in the amounts authorized pursuant to this Act if the Secretary of the military department or the

Director of the defense agency concerned determines that such an increase is required for the sole purpose of meeting unusual and unanticipated variations in costs. Requires the Secretary of Defense to report annually to the appropriate committees of Congress concerning projects exceeding the amount authorized by more than a specified percent.

Directs the Secretary of Defense to encourage the use of solar energy for projects authorized by this Act and authorizes the Secretary to increase the cost limitations or floor area limitations for a project in order to equip it with solar energy heating or cooling equipment.

Establishes measures and responsibility for supervising the construction work authorized under this Act. Requires the respective Secretaries to report to Congress annually on the costs of construction contracts by construction agency.

Repeals prior Military Construction Authorization Acts. Specifies exceptions to such repealer.

Sets forth unit cost limitations based on square footage for projects authorized pursuant to this Act.

Title VIII: Guard and Reserve Forces Facilities.—Authorizes the Secretary of Defense to establish or develop additional facilities for the Guard and Reserve Forces of various military departments. Authorizes appropriations in specified amounts for each such entity.

Title IX: General Provisions.—Sets forth a formula for determining the cost effectiveness of a solar energy system. Authorizes the Secretary of Defense to undertake military construction necessary to support the required employment of the armed forces during a declaration of war or a national emergency.

Authorizes the Administrator of General Services to dispose of the former Naval Training Center, Bainbridge, Cecil County, Maryland, as surplus property.

Amends the Military Construction Authorization Act, 1981, to permit the Secretary of Defense to provide impact planning assistance for areas affected by the MX weapon system and the East Coast Trident Base.

Directs the Secretary of the Army to maintain any existing District Office of the United States Army Corps of Engineers which is within 25 miles of a major defense port.

Authorizes the Secretary of the Army to convey to the City of Long Beach, California, specified lands within the Long Beach Army Reserve Training Center, Long Beach, California.

Passed Senate in lieu of S. 1408 with an amendment by Yea-Nay vote. 95-2. Record Vote No. 358, November 5, 1981.

Senate requested a conference, November 5, 1981.

H.R. 3807, Defense Officer Personnel Management Act Technical Corrections Act

Amends the Defense Officer Personnel Management Act to make technical corrections.

Measure signed in Senate on June 29, 1981 and signed by the President on July 10, 1981 and became Public Law 97-22.

H.R. 4792, Military Justice Amendments of 1981

Amends the Uniform Code of Miltary Justice to state that a member of an armed force receiving a sentence from a courts-martial which includes an unsuspend dismissal or bad-conduct discharge may be required to take leave pending completion of the action. Makes such leave chargeable against accrued or excess leave. Precludes the accrual or reception of pay or allowances during involuntary leave. Excludes such persons from the right to reemployment of inducted persons. Exempts such persons from the restriction on off-post civilian employment.

Requires payment for leave charged as excess leave, minus earnings received during such leave, whenever such a sentence is set aside or disapproved by a Court of Military Review or the United States Court of Military Appeals. Prohibits punishment before trial without regard to the effective date of sentences. Permits the accused to be represented by more than one military counsel as specified.

Extends from 30 to 60 days the period during which an accused may petition the Court of Military Appeals for review of a decision of a Court of Military Review. Require an application for modification or vacation of a sentence or findings in a courts-martial case which has been finally review, but not reviewed by a Court of Military Review, to be made within two years of sentencing.

Measure signed in Senate on November 12, 1981 and signed by the President on November 20, 1981 and became Public Law No. 97-81.

DISTRICT OF COLUMBIA

S. 640, amends the District of Columbia Self-Government and Governmental Reorganization Act with respect to the borrowing authority of the District of Columbia

Extends the interim loan authority of the Mayor of the District of Columbia.

Sponsored by Mr. Mathias, was reported by the Senate Committee on Governmental Affairs.

Signed by the President on August 14, 1981 and became Public Law No. 97-40.

S. 1040, amends the District of Columbia Self-Government and Governmental Reorganization Act to increase the amount authorized to be appropriated as the annual Federal payment to the District of Columbia

Sponsored by Mr. Mathias, was reported by the Senate Committee on Governmental Affairs.

Signed by the President on August 6, 1981 and became Public Law No. 97-30.

H.R. 4910, District of Columbia Bond Authority

Amends the District of Columbia Self-Government and Governmental Reorganization Act to exempt specified provisions from the requirement that Congress must approve obligations of District funds before the funds are obligated.

Authorizes the Mayor to make the required payments on the interest and principal of general obligation bonds and notes issued to finance capital projects. Authorizes the Mayor to take certain actions concerning bonds that created a security interest in District revenues.

Changes the times at which the interest on District bonds issued for capital projects is payable.

Requires that the District must hold elections on whether to issue bonds for capital projects before the legislation authorizing the issuance of the bonds is sent to Congress.

Requires the Mayor to publish a notice in a District newspaper whenever legislation authorizing the issuance of general obligation bonds is enacted.

Sets forth the limitation period between the time such legislation is enacted and the time it is deemed immune from certain court challenges.

Authorizes the Mayor to issue the bonds after the Council of the District of Columbia authorizes their issuance. Sets forth the methods of payment, execution, and authentication of such bonds.

Authorizes the Mayor to sell bonds by private as well as public sale if the bonds are sold after a specified date and if they are secured by District revenues.

Authorizes the Council to create a security interest in District revenues to secure bonds for capital projects. Sets forth the priority of such security interest.

Authorizes the Council to issue short-term general obligation notes to meet appropriations made by Congress if no unappropriated revenues are available to meet such appropriations. Authorizes the Council to issue such notes in anticipation of collecting or receiving revenues.

Retains the current provisions creating a special debt service fund by levying a special tax, requiring an audit of such fund, and pledging the District's full faith and credit to pay the principal of and interest on certain general obligation bonds.

Directs the Council to provide in each annual District budget for payment of the principal of and interest on bonds issued for capital projects, meeting appropriations, or revenue anticipation. Directs the Mayor to insure payment of such principal and interest.

Requires using the annual Federal payment to pay such principal and interest if no other funds are available.

States that the full faith and credit of the United States is not pledged for bonds issued by the District under its borrowing authority.

Revises the provisions for the issuance of revenue bonds and other obligations by the Council.

Passed Senate on December 15, 1981.

ECONOMY—FINANCE

S. 881, Small Business Innovation Research Act of 1981

Amends the Small Business Act to require Federal agencies to establish small business innovation research (SBIR) programs.

Sponsored by Mr. Rudman, was reported by the Senate Committee on Small Business, and cosponsored by Mr. Gorton; Mr.

Symms; Mr. Stevens; Mr. Mattingly; Mr. Nunn; Mr. Packwood; Mr. Boschwitz; Mr. Weicker; Mr. Hatch; Mr. Huddleston; Mr. Baucus; Mr. Hayakawa; Mr. Hart; Mr. Bentsen; Mr. Glenn; Mr. Tsongas; Mr. Garn; Mr. Dole; Mr. Riegle; Mr. Bradley; Mr. Tower; Mr. Kennedy; Mr. Hatfield; Mr. Warner; Mr. Heinz; Mr. Chafee; Mr. Moynihan; Mr. D'Amato; Mr. Danforth; Mr. Percy; Mr. Goldwater; Mr. Zorinsky; Mr. Pell; Mr. Hollings; Mr. Murkowski; Mr. Humphrey; Mr. Boren; Mr. Leahy; Mr. Hawkins; Mr. Sarbanes; Mr. Dodd; Mr. Burdick; Mr. Pryor; Mr. Simpson; Mr. Abdnor; Mr. Metzenbaum; Mr. Specter; Mr. Kasten; Mr. Ford; Mr. Stafford; Mr. Dixon; Mr. Chiles; Mr. Durenberger; Mr. Williams; Mr. Roth; Mr. DeConcini; Mr. Inouye; Mr. Lugar; Mr. Melcher; Mr. Cannon; Mr. Domenici; Mr. Cohen; Mr. Matsunaga; Mr. Sasser; Mr. Cranston; Mr. Grassley; Mr. Mathias; Mr. Jepsen; Mr. Exon; Mr. Pressler; Mr. Johnston; Mr. Heflin; Mr. Mitchell; Mr. Bumpers; Mr. Cochran; Mr. Andrews; Mr. Randolph; Mr. Byrd of West Virginia; Mr. East; Mr. Stennis; Mr. Denton; Mrs. Kassebaum; Mr. Levin; Mr. Helms; and Mr. Wallop.

Passed Senate with amendments by Yea-Nay Vote. 90-0. Record Vote No. 461, December 8, 1981.

S. 1070, Youth Employment Demonstration Amendments of 1981

Amends the Comprehensive Employment and Training Act to authorize appropriations for Youth Employment Demonstration Programs. Repeals a provision relating to distribution of funds for such programs.

Sponsored by Mr. Quayle, was reported by the Senate Committee on Labor and Human Resources.

Signed by the President on June 16, 1981 and became Public Law No. 97-14.

S. 1687, amends the International Investment Survey Act of 1976 to require benchmark surveys of foreign direct investment in the United States covering 1980, 1987, and every fifth year thereafter (rather than covering calendar years 1980, 1987, and every fifth calendar year thereafter). Requires such surveys of U.S. direct investment abroad covering 1982, 1989, and every fifth year thereafter (rather than covering those calendar years)

Sponsored by Mr. Pressler.

Signed by the President on October 26, 1981 and became Public Law No. 97-70.

H.R. 31, Cash Discount Act

Amends the Truth in Lending Act to stipulate that any discount offered by sellers from the "regular price" to induce payment by cash or other means not involving open-end credit plans or credit cards shall not constitute a finance charge. Extends the termination of the prohibition against credit card surcharges to 1983.

Measure signed in the Senate on July 16, 1981 and signed by the President on July 27, 1981 and became Public Law No. 97-25.

H.R. 1553, amends the Second Liberty Bond Act to increase the temporary public debt limit by $585,000,000 until September 30, 1981

Measure signed in Senate on February 6, 1981 and signed by the President on February 7, 1981 and became Public Law No. 97-2.

H.R. 2120, Product Liability Risk Retention Act of 1981

Exempts risk retention groups and purchasing groups (businesses which organize to spread product liability risk exposure or purchase product liability insurance on a group basis) from State laws which prohibit, regulate, or otherwise discriminate against such groups.

Measure signed in Senate on September 14, 1981 and signed by the President on September 25, 1981 and became Public Law No. 97-45.

H.R. 3520, Steel Industry Compliance Extension Act of 1981

Amends the Clean Air Act to authorize the Administrator of the Environmental Protection Agency to extend the date for compliance with emission limitation requirements by owners or operators of a stationary source in an iron- and steel-producing operation if: (1) the compliance date extension is necessary to allow the applicant to make capital investments in its operations to improve efficiency and productivity; Mr. (2) the funds freed by such extension will be used within two years for additional capital investments in the applicant's operations; Mr. (3) the Administrator and the applicant agree to a phased compliance program for each of the applicant's stationary sources; Mr. (4) the applicant has sufficient funds to comply with such program; Mr. (5) the applicant is in compliance with any existing Federal decrees applicable to its operations; Mr. and (6) the compliance date extension will not result in the degradation of air quality during the extension term.

Prohibits the imposition of a noncompliance penalty under the Clean Air Act upon an owner or operator with a compliance date extension provided their stationary source remains in compliance with all the requirements of such extension.

Makes available to the public all information obtained by the Administrator under this Act, subject to a specified exception.

Directs the Administrator to publish in the Federal Register notice of any finding made or other action taken, or failure or refusal to take action, by the Administrator in connection with consent decrees. Provides that such findings, actions, refusals, or failures shall be reviewable only by a court in which a specified civil action under such Act is brought against the stationary source owner or operator.

Provides that any person has the right to intervene in any judicial proceeding to establish such compliance schedule.

Provides that Federal judicial decrees or implementation plans under such Act may be modified to extend beyond 1985 a schedule of compliance for any source which receives such an extension under this Act.

States that revision of a State implementation plan is not required because a compliance date extension has been granted if such plan would have met Clean Air Act requirements prior to the granting of such extension.

Measure signed in Senate on July 8, 1981 and signed by the President on July 17, 1981 and became Public Law No. 97-23.

Conference report filed in House, H. Rept. 97-161.

H.R. 4879, International Banking Facility Deposit Insurance Act

Amends the Federal Deposit Insurance Act to restate the treatment of international banking facility deposits for purposes of deposit insurance assessments.

Passed Senate with amendments on December 15, 1981.

H.J. Res 265, amends the Second Liberty Bond Act to increase the temporary public debt limit for fiscal year 1982 by $679,800,000,000

Reported by the Senate Committee on Finance.

Measure signed in Senate and signed by the President on September 30, 1981 and became Public Law No. 97-49.

H.J. Res. 266, Economic Recovery Tax Act of 1981

Title I: Individual Income Tax Provisions.—Amends the Internal Revenue Code to reduce individual and estate and trust income tax rates for 1982, 1983, and 1984 and thereafter. Reduces the highest marginal tax rate on all types of income from 70 to 50 percent, effective in 1982. Repeals the 50 percent maximum tax rate on personal service income, effective in 1982. Reduces the alternative minimum tax on the capital gains of individuals and the personal holding company tax to correspond with the reductions in the highest marginal tax rates. Establishes a maximum tax rate on long-term capital gains of 20 percent for sales and exchanges occurring after June 10, 1981.

Allows a tax credit equal to one and one-fourth of an individual's regular tax liability for taxable year 1981. Revises withholding requirements to provide for withholding reductions of five percent in 1981, ten percent in 1982, and ten percent in 1983. Authorizes the Secretary of the Treasury to issue regulations permitting workers to increase or decrease their withholding allowances.

Allows married individuals filing a joint return an income tax deduction from gross income of ten percent of the lesser of $30,000 or the earned income of the lower income spouse. Specifies that the rate of such deduction will be five percent, instead of ten, in taxable year 1982.

Revises requirements for the tax exclusion of earned income of Americans working abroad. Increases the amount of such exclusion to $50,000, plus 50 percent of the lesser of compensation exceeding $50,000 or $50,000. Increases the amount of the tax exclusion for the housing costs of such individuals to an amount by which the taxpayer's housing costs exceed 16 percent of a GS 14, step 1 salary level for a Federal employee. Repeals the requirement that such U.S. citizens work in hardship area to be eligible for the tax exclusion. Reduces the length of the residency requirement for the tax exclusion. Waives such requirement if the Secretary of the Treasury determines that the taxpayer would otherwise have met the residency requirement but for the occurrence of civil unrest, war, or other adverse conditions precluding the normal conduct of business. Repeals the income tax deduction for certain living expenses of U.S. citizens abroad.

Provides for an income tax exclusion for the value of employer provided lodging in a cap in cases where satisfactory housing is not generally available.

Amends the Foreign Earned Income Act of 1978 to extend through 1983 the requirements that the Secretary and certain Federal Government Agencies report to specified congressional committees on the operation and effects of the foreign earned income exclusion.

Title II: Business Incentive Provisions.—Amends the Internal Revenue Code to revise the method for determining useful life of business assets for purposes of computing allowable depreciation deductions. Replaces the asset depreciation range (ADR) method with a schedule of capital cost recovery periods for four classes of business property.

Establishes cost recovery periods for the following classes of business property: (1) three-year property, including certain tangible personal property with a present class life of four years or less or used for research or experimentation; (2) five-year property, including certain tangible personal property which is not three-year property, ten-year property or 15-year public utility property; (3) ten-year property, including certain public utility property with a present class life of more than 18 but less than 25 years, certain real property with a present class life of 12.5 years or less, and railroad tank cars; (4) 15-year public utility property, including all such property with a present class life of more than 25 years. Sets forth separate recovery schedules for property placed in service before 1985 and for property placed in service in 1985 and thereafter.

Establishes as a separate class of business property 15-year real property which does not have a present class life of 12.5 years or less. Directs the Secretary to prescribe a schedule of recovery for such which provides for a 15-year recovery period and utilizes the declining balance method of depreciation in the early years of recovery with a switch to the straight-line method in the remaining years.

Permits taxpayers to elect to use the straight-line method of depreciation with specified other recovery periods in lieu of the prescribed accelerated method.

Defines "unadjusted basis" for purposes of determining gain or loss on the disposition of accelerated recovery property. Sets forth rules for the nonrecognition of gain on the disposition of assets from mass asset accounts.

Excludes from eligibility for accelerated cost recovery the following types of property: (1) property placed in service before January 1, 1981; (2) property depreciable on a basis other than time; (3) public utility property for which the normalization method of accounting is not used; and (4) certain property placed in service prior to 1981 which is transferred or leased in a transaction occurring after 1981 which does not alter its use.

Revises component depreciation rules to provide that the taxpayer must utilize the same recovery period and method of depreciation for a building and its structural components. Allows separate depreciation of substantial improvements.

Provides special rules for the depreciation of recovery property used predominantly outside of the United States.

Repeals the retirement-replacement-betterment methods of depreciation allowed for certain types of property. Specifies that such property shall be depreciated using a ratable method.

Specifies that the salvage value of cost recovery property shall not be taken into account in computing allowable depreciation.

Sets forth rules for determining the eligibility of lessors of recovery property for accelerated depreciation deductions and for the investment tax credit.

Requires the use of the straight-line method of depreciation for certified historic structures.

Permits a taxpayer to elect to expense (i.e. currently deduct) the costs of new or used tangible personal property used in the taxpayer's business during a taxable year in lieu of current provisions permitting additional first year depreciation. Sets the amount of such deduction at $5,000 in 1982 with biennial increments of $2,500 up to $10,000 in 1986.

Requires the recapture as ordinary income of excess depreciation from recovery property which is subsequently sold or exchanged.

Treats the accelerated cost recovery deduction as an item of tax preference for purposes of the minimum tax.

Extends the carryover periods for certain operating losses and tax credits.

Revises the applicable percentage for determination of the investment tax credit to make eligible for such credit: (1) 100 percent of the basis of ten-year, five-year recovery property, or 15-year public utility; and (2) 60 percent of the basis of three-year recovery property.

Revises the progress expenditure rules to eliminate the useful life requirement for depreciable property being constructed by or for a taxpayer for use in trade or business (qualified process expenditure property) and to apply to such property the revised percentages for determining the investment tax credit under this Act.

Qualifies petroleum product storage facilities for the investment tax credit.

Limits the amount of the investment tax credit to the amount that the taxpayer has at risk.

Increases the investment tax credit for qualified rehabilitation expenditures based upon the age of a building or its certification as a historic structure. Repeals the special 60-month amortization rules for certified historic structures and rules permitting accelerated depreciation for rehabilitated certified historic structures.

Eliminates the $100,000 limit on the amount of used property eligible for the investment tax credit. Revises rules for the recapture of tax benefits upon the disposition of property eligible for the tax credit. Prescribes recapture percentages for certain classes of recovery property.

Allows a nonrefundable income tax credit for 25 percent of the qualified research and experimental wage expenditures incurred by a taxpayer in carrying on any trade or business to the extent that such expenditures exceed the average amount of the taxpayers research and wage expenditures in a specified base period. Excludes expenditures for research and experimentation conducted outside the United States, research in the social sciences or humanities, and research funded by Federal, State, or local governments from eligibility for such credit. Permits a three-year carryback and a 10-year carryover of such credit.

Revises the limits on the allowable deduction for corporate charitable contributions of inventory property which is contributed to an institution of higher education and used for research purposes.

Increases from $150,000 to $250,000 the amount which corporations may accumulate for reasonable needs of the business without being subject to the tax on accumulated earnings. Disallows such increase for corporations performing services in the areas of health, law, engineering, architecture, accounting, actuarial science, performing arts, or consulting. Increases the allowable number of shareholders in a Subchapter S corporation from 15 to 25. Permits qualified trusts to be shareholders of Subchapter S corporations. Allows a beneficiary of such a trust to elect to be treated as the owner of stock in any Subchapter S corporation.

Terminates the status of a qualified Subchapter S trust at any time during which the trust owns no Subchapter S corporation stock or the corporation ceases to qualify as such.

Increases to $2,500 the amount of the allowable credit or refund of the windfall profit tax paid in connection with taxable crude oil which is attributable to a qualified royalty interest and which is removed from premises during the calendar year. Repeals the time limitations on such credit or refund. Exempts crude oil under a qualified royalty interest from the windfall profit tax if the royalty owner reasonably expects no tax liability in excess of the amount of such credit. Reduces from 30 to 15 percent the amount of the windfall profit tax on newly discovered tier three oil by specified annual decrements through 1986.

Exempts from income taxation any income resulting from the transfer of stock to an individual exercising a stock option under an incentive stock option plan. Specifies that the optionee may not dispose of stock within two years after an option is granted nor withon one year after the transfer of shares. Requires that the optionee be an employee of the corporation granting such option at all time during the period after an option is granted and until three months before such option is exercised.

Provides a tax deduction for the loss of a motor carrier operating authority held by the taxpayer on July 1, 1980. Allows such deduction to be taken ratably over a 60-month period.

Title III: Savings Provisions.—Amends the Internal Revenue Code to exclude from gross income interest received on a savings certificate issued by a qualified bank, savings and loan institution, or credit union. Permits such exclusion only to the extent that the interest income received by the taxpayer exceeds the amount of such income received in the previous year, up to $1,000 ($2,000 for joint returns). Requires the Secretary to report to Congress on such exemptions effectiveness in generating additional savings. Amends the Crude Oil Windfall Profit Tax Act of 1980 to repeal the partial exclusion of interest from gross income for taxable year 1983.

Revises rules for the retirement savings deduction. Increases the amount of the allowable tax deduction for contributions to an individual retirement account (IRA) for individuals not covered by another plan to the lesser of $2,000 ($2,250 for a spousal IRA) or 100 percent of the individual's compensation income. Allows such deduction for IRA contributions or for voluntary contributions to a qualified plan for individuals who are active participants in a qualified employer plan or a government plan. Limit such deduction to the lesser of $1,500 ($1,625 for a spousal IRA) or 100 percent of an individual's compensation income. Allows employees a deduction for employer contributions to a simplified employee pension. Limits such deduction to the lesser of 15 percent of the taxpayer's compensation income or the amount of such contributions (up to $7,500). Repeals existing provisions relating to the tax deduction for retirement savings for certain married individuals. Increases the limit on deductible contributions to owner-employee retirement plans from $7,500 to $15,000 (or 15 percent of the earned income derived by employees from the trade or business, whichever is less). Increases the amount of compensation which may be used to determine annual benefit accruals for purposes of applying limits on deductible contributions.

Revises provisions allowing a tax credit for contributions to employee stock ownership plans. Replaces the existing investment tax credit for such plans with an income tax credit for corporate employers equal to a specified percentage of compensation paid to employees who purchase stock pursuant to a qualified plan for taxable years 1983, 1984, and 1985 and thereafter. Allows an income tax deduction for unused employee stock ownership credits which expire at the close of a taxable year. Repeals the employer plan percentage for the investment tax credit allowed an employer for contributions to an ESOP after 1982.

Allows employers a separate tax deduction for amounts paid for the principal or interest on a loan used to purchase employer securities. Limits the deduction for payment of the loan principal to 25 percent of the compensation of all employees under the plan.

Permits a tax credit ESOP, where ownership of all outstanding employer securities is restricted to employees or to a tax-deferred compensation plan, to distribute benefits in cash although it does not permit a participant to exercise the right to demand that benefits be distributed in employer securities.

Qualifies as a tax-deferred compensation plan a stock bonus plan which provides for the exercise of a put option.

Allows banks whose securities are not readily tradable to reduce the period for exercise of a put option to a period of at least 60 days following the date of distribution of employer stock and an additional such period in the following plan year.

Permits distributions from a tax credit ESOP of employer securities allocated to a participant's account in the case of: (1) a transfer of a participant to an acquiring employer pursuant to a sale of the assets of the employer corporation or a sale of the stock of a subsidiary; or (2) the disposition of a corporation's stock in a subsidiary which employs the participant.

Title IV: Estate and Gift Tax Provisions.—Increases the unified credit against the estate and gift taxes from $47,000 to $192,800 by specified annual increments through 1986. Increases from $175,000 to $600,000 by specified annual increments through 1986, the minimum gross estate requirement for filing of a return.

Repeals the existing limitations on the marital deduction for gift and estate taxes.

Revises the definition of "qualified joint interest" for purposes of the 50 percent valuation of interests in property held by the decedent and the decedent's spouse.

Increases from $3,000 to $10,000 the annual gift tax exclusion.

Revises the definition of "qualified real property," for purposes of the special use valuation, to include real property which is put to a qualified use by a member of the decedent's family. Qualifies estates of decedents who were disabled or retired for the special use valuation if such decedents materially participated in the operation of the farm or business for five out of eight years preceding the year in which they became disabled or eligible for disability benefits, under title II (Old Age, Survivors and Disability Insurance) of the Social Security Act. Permits the spouse of a decedent to use such valuation if the spouse takes over active management upon the decedent's death.

Reduces from fifteen to ten years the length of time a qualified property must be held and put to a qualified use following the decedent's death before it can be disposed of without incurring a recapture of estate tax benefits. Permits such period to begin on the later of the decedent's death or on a date within one year after death when the qualified use begins. Permits active management rather than material participation as a test for qualification of the estate for spouses, children under 21, students, and disabled individuals who receive property from a decedent who qualified for special use valuation.

Allows the like kind exchange of property without loss of special use valuation eligibility. Allows valuation based on net crop share rentals as an alternative method of valuing farms. Repeals the requirement that an heir elect special treatment for involuntary conversions of qualified real property, thus making such treatment automatic upon such conversion.

Includes in the value of woodlands which qualify for the special use valuation the value of the trees growing on such property. Requires the recapture of estate tax benefits upon the disposition or severance of standing timber on such property.

States that gifts made within three years of a decedent's death shall be valued as of the time of transfer rather than as of the date of death.

Modifies the alternate extension of time for payment of the estate tax where the estate consists largely of an interest in a closely held business to: (1) allow an installment payment election if the value of the interest in the closely held business is either 35 percent of the value of the interest in the closely held business or 50 percent of the taxable estate; (2) revise the formula regarding the inclusion in the value of a gross estate of interests in two or more closely held businesses; (3) increase to 50 percent the value of an interest disposed of which will accelerate the payment of tax; and (4) permit payment, but with a penalty, of an installment within six months after the due date.

Allows disclaimer of an interest in property for estate tax purposes in specified circumstances where such disclaimer does not result in the passing of the interest concerned under the applicable State law.

Title V: Tax Straddles.—Provides that any loss from the holding of none or more positions shall be recognized, for income tax deduction purposes, only to the extent that it exceeds the unrealized gain (gain which would be recognized if the position had been sold at its fair market value) from the holding of one or more positions which: (1) were acquired before the disposition resulting in the loss; (2) were offsetting positions; and (3) were not part of an identified straddle as of the end of the taxable year. Defines "offsetting position" to mean that there is a substantial reduction of the taxpayer's risk of loss from holding any position with respect to personal property (personal property of a type which is actively traded) because the taxpayer also holds one or more other positions with respect to personal property (commonly referred to as a "straddle").

Creates a rebuttable presumption that two or more positions are offsetting, for purposes of the definition of a straddle, if: (1) they are in the same personal property, although they may be in a substantially altered form; (2) they are in debt instruments of a similar maturity or certain other debt instruments; (3) they are sold or marketed as such; (4) the aggregate margin requirement for such positions is lower than the sum of the margin requirement for each such position; or (5) there are other factors, as determined by the Secretary of the Treasury pursuant to regulation, which indicate that such positions are offsetting.

Imposes a penalty upon a taxpayer who fails to report each position held with respect to which there is unrealized gain and the amount of such gain and there is resulting underpayment from the denial of a deduction of a loss with respect to a position.

Disallows as a deduction, and makes chargeable to capital account, interest and carrying charges with respect to personal property which is part of a straddle.

Treats as sold at its fair market value any regulated futures contract held by the taxpayer at the close of the taxable year. Treats gain or loss with respect to such a contract as: (1) short-term capital gain or loss, to the extent of 40 percent of the gain or loss; and (2) long-term capital gain or loss, to the extent of 60 percent of the gain or loss. Exempts from the loss recognition provisions of this title any straddle consisting entirely of offsetting positions which are regulated futures contracts. Defines "regulated futures contract" as a contract: (1) which requires delivery of personal property; (2) with respect to which amounts deposited and withdrawn depend on a system of marking to market; and (3) which is traded on or subject to the rules of certain boards of trade.

Permits an election to: (1) apply the regulated futures contract rules to all positions of all mixed straddles (straddles at least one, but not all, of the positions of which are regulated future contracts and with respect to which each position is identified as being part of straddle); or (2) not apply such rules to all regulated futures contracts which are part of all mixed straddles. Exempts from the application of such rules any hedging transaction. Defines "hedging transaction" as any transaction: (1) which is entered into in the course of the trade or business primarily to reduce certain types of risk with respect to property or borrowing; (2) the gain or loss on which is treated as ordinary income or loss; and (3) which is clearly identified as such.

Limits the three-year carryback of losses from regulated futures contracts to an amount which: (1) does not exceed the lesser of the capital gain net income from regulated futures contracts or all of the capital gain net income; and (2) does not increase or produce a net operating loss.

Provides that obligations of the United States, a State or local government, or a U.S. possession issued on a discount basis and payable without interest in less than one year shall be treated as capital assets in determining tax consequences of gain or loss with respect to such obligations. Treats as ordinary income any gain realized from the sale or exchange of short-term government obligations which does not exceed an amount equal to the ratable share of the excess of the stated redemption price at maturity over the taxpayer's basis.

Excludes from capital gains tax treatment gains by a securities dealer from the sale or exchange of any security, unless the security was clearly identified in the dealer's records before the close of the day on which it was acquired as a security held for investment (currently, before the end of the 30th day after the date of acquisition).

Extends capital gains treatment to gains or losses attributable to the termination of a right or obligation with respect to personal property of a type which is actively traded and which is or would be a capital asset in the hands of the taxpayer.

Amends the Second Liberty Bond Act to increase the temporary public debt limit for the period from May 21, 1981, through September 30, 1981.

Reported by the Senate Committee on Finance.

The Senate agreed to the following amendments:

S. Up. Amdt. No. 222, to exclude from the windfall profits tax interests in crude oil held by, or for the benefit of, private, not-for-profit organizations which provide certain services to children, sponsored by Mr. Cochran, joined by Mr. Boren; Mr. Bentsen; Mr. Stennis; Mr. Tower; Mr. Wallop; Mr. Symms; Mr. Long; Mr. Pryor; Mr. Lugar; Mr. Garn; Mr. Boschwitz; Mr. Johnston; Mr. Sasser; Mr. Leahy; Mr. Dole; and Mr. Moynihan.

S. Up. Amdt. No. 224, modification of Foreign Investment Company provisions, sponsored by Mr. Boren, joined by Mr. Heinz.

S. Up. Amdt. No. 227, to limit the exclusion on the savings certificates to the deposits on which are used for qualified residential property financing, sponsored by Mr. Bentsen, joined by Mr. Boren; Mr. Hollings; Mr. Cannon; Mr. Mitchell; Mr. Baucus; Mr. Heflin; Mr. Williams; and Mr. Leahy.

S. Up. Amdt. No. 228, to limit the period for which certificates may be offered to 15 months, and for other purposes, sponsored by Mr. Schmitt, joined by Mr. Dole; Mr. Garn; Mr. Symms; Mr. Danforth; Mr. Grassley; and Mr. D'Amato.

S. Up. Amdt. No. 231, limiting the size of tax-exempt savings certificates to not greater than $500, sponsored by Mr. Metzenbaum, joined by Mr. Riegle; Mr. Baucus; Mr. Bumpers; Mr. Burdick; Mr. Randolph; Mr. D'Amato; and Mr. Bradley.

S. Up. Amdt. No. 232, of a technical nature, sponsored by Mr. Bentsen.

S. Up. Amdt. No. 233, to enable the Smithsonian Institution to acquire the Mathew Brady collection in the estate of Dorothy Meserve Kunhardt, sponsored by Mr. Goldwater, joined by Mr. Jackson and Mr. Garn.

S. Up. Amdt. No. 236, to allow employers who paid FICA taxes prior to enactment of the Tax Reform Act of 1976 for services exempted from such tax by such Act to claim a credit or refund of such taxes and to exclude certain services from coverage for purposes of unemployment compensation, sponsored by Mr. Cohen, joined by Mr. Mitchell.

S. Up. Amdt. No. 237, to allow widowed and divorced spouses to continue to contribute to their own individual retirement account, sponsored by Mr. Grassley, joined by Mr. Baucus; Mr. Byrd of Virginia; Mr. Bentsen; Mr. Bradley; and Mr. Dole.

S. Up. Amdt. No. 238, to promote capital investment in small business by reducing the corporate tax rate on the first $50,000 of taxable income in two phases, sponsored by Mr. Weicker, joined by Mr. Durenberger; Mr. Nunn; Mr. Riegle; Mr. Mitchell; Mr. Leahy; Mr. Matsunaga; and Mr. Roth.

S. Up. Amdt. No. 239, increasing amount of compensation which may be taken into account under a Keogh plan to $200,000, sponsored by Mr. Specter, joined by Mr. Boren.

S. Up. Amdt. No. 240, striking the section relating to increase in investment credit on used property, etc., sponsored by Mr. Durenberger, joined by Mr. Weicker; Mr. Nunn; Mr. Danforth; and Mr. Symms.

S. Up. Amdt. No. 243, to make a technical and clarifying change in the Metzenbaum amendment SU231, sponsored by Mr. Metzenbaum, joined by Mr. Dole.

S. Up. Amdt. 244, to increase from $10 to $60 the fee for filing petitions in the U.S. Tax Court, sponsored by Mr. Dole.

S. Up. Amdt. No. 246, to allow the deduction for charitable contributions to be allowed for individuals who do not itemize deductions, sponsored by Mr. Packwood, joined by Mr. Moynihan; Mr. Dole; Mr. Roth; Mr. Heinz; Mr. Durenberger; Mr. Bentsen; Mr. Pressler; Mr. Baucus; Mr. Bradley; Mr. Mitchell; Mr. Andrews; Mr. Boschwitz; Mr. Burdick; Mr. Cannon; Mr. Chiles; Mr. Cochran; Mr. Cranston; Mr. D'Amato; Mr. DeConcini; Mr. Dixon; Mr. Dodd; Mr. Ford; Mr. Glenn; Mrs. Hawkins; Mr. Heflin; Mr. Helms; Mr. Hollings; Mr. Huddleston; Mr. Jackson; Mr. Kasten; Mr. Kennedy; Mr. Leahy; Mr. Levin; Mr. Lugar; Mr. Mathias; Mr. Melcher; Mr. Metzenbaum; Mr. Murkowski; Mr. Nunn; Mr. Matsunaga; Mr. Pryor; Mr. Quayle; Mr. Randolph; Mr. Riegle; Mr. Schmitt; Mr. Simpson; Mr. Specter; Mr. Tsongas; Mr. Weicker; Mr. Williams; Mr. Zorinsky; Mr. Boren; Mr. Thurmond; Mr. Grassley; Mr. Baker; Mr. Sasser; Mr. Denton; Mr. Jepsen; Mr. Nickles; Mr. Chafee; and Mr. Long.

S. Up. Amdt. No. 247, to amend the Internal Revenue Code of 1954 by eliminating the voting rights pass through requirement for closely held corporations participating in Employee Stock Ownership Plans (ESOP's), sponsored by Mr. Stevens, joined by Mr. Danforth and Mr. Murkowski.

S. Up. Amdt. No. 248, reducing the rate of cost recovery on 16-year real property other than low-income rental housing, sponsored by Mr. Dole.

S. Up. Amdt. No. 249, to reduce the rate of cost recovery on 15-year real property other than low-income rental housing, sponsored by Mr. Dole.

S. Up. Amdt. No. 252, to require a study of various savings incentives for retirement, sponsored by Mr. Heinz.

S. Up. Amdt. No. 260, to permit successive income beneficiaries in a qualified Subchapter S trust, sponsored by Mr. Byrd of Virginia.

S. Up. Amdt. No. 261, relating to the rate of tax on newly discovered oil, sponsored by Mr. Dole, joined by Mr. Domenici; Mr. Nickles; Mr. Schmitt; Mr. Boren; Mr. Wallop; Mr. Tower; and Mr. Bentsen.

S. Up. Amdt. No. 262, to place manufactured homes in the 10-year property class, sponsored by Mr. Lugar, joined by Mr. Cranston; Mr. Moynihan; Mr. Bradley; and Mr. D'Amato.

S. Up. Amdt. No. 263, allowing traders on floor of national securities exchange known as "specialists" to use a "7-day lookback," sponsored by Mr. Moynihan, joined by Mr. D'Amato.

S. Up. Amdt. No. 265, guaranteeing continued operation of Oregon veterans' mortgage subsidy bond program, sponsored by Mr. Hatfield.

S. Up. Amdt. No. 266, extension of prohibition on fringe benefit regulations, sponsored by Mr. Mattingly, joined by Mr. Sasser.

S. Up. Amdt. No. 269, to extend and revise the targeted jobs credit, sponsored by Mr. Heinz, joined by Mr. Domenici; Mr. D'Amato; Mr. Andrews; Mr. Boschwitz; Mr. Specter; Mr. Symms; Mr. Pressler; Mr. Durenberger; Mr. Long; Mr. Bentsen; Mr. Mitchell; Mr. Bradley; Mr. Matsunaga; Mr. Riegle; Mr. Chiles; Mr. Moynihan; Mr. DeConcini; Mr. Ford; Mr. Huddleston; Mr. Metzenbaum; Mr. Inouye; Mr. Sarbanes; Mr. Randolph; Mr. Boren; Mr. Sasser; Mr. Packwood; Mr. Roth; Mr. Chafee; Mr. Dole; Mr. Danforth; and Mr. Hatfield.

S. Up. Amdt. No. 272, relating to the application of section 189 of the Internal Revenue Code of 1954, sponsored by Mr. Dodd, joined by Mr. Dole; Mr. Heinz; Mr. Cranston; Mr. Tsongas; Mr. Williams; Mr. Jackson; Mr. Riegle; Mr. D'Amato; and Mr. Durenberger.

S. Up. Amdt. No. 273, to provide transition rules for the tax straddles, sponsored by Mr. Moynihan.

S. Up. Amdt. No. 274, to express the sense of the Senate relative to limitation of revenue losses, sponsored by Mr. Dole, joined by Mr. Domenici.

S. Up. Amdt. No. 275, relating to the Foundation Payout Rule, sponsored by Mr. Durenberger, joined by Mr. Moynihan; Mr. Packwood; and Mr. Bradley.

S. Up. Amdt. No. 277, allowing each member of an affiliated group to make certain ACRS elections, sponsored by Mr. Boschwitz, joined by Mr. Bentsen.

S. Up. Amdt. No. 278, to amend the Internal Revenue Code of 1954 to simplify the excise tax provisions relating to certain sporting goods, sponsored by Mr. Sasser, joined by Mr. DeConcini; Mr. Bentsen; Mr. Symms; Mr. McClure; and Mr. Cannon.

S. Up. Amdt. No. 279, to increase to $40,000 the expenditures per dwelling unit of low-income housing eligible for 5-year amortization in certain situations providing for sale of the units to tenants, sponsored by Mr. Quayle.

S. Up. Amdt. No. 280, to provide a credit against federal income tax for expenses involved in the planting of pecan trees to replace pecan trees destroyed by Hurricane Frederick, sponsored by Mr. Heflin, joined by Mrs. Hawkins; Mr. Murkowski; and Mr. Long.

S. Up. Amdt. No. 281, expressing the sense of the Senate that the Senate Finance Committee report a bill authorizing inter-fund borrowing to the Senate by November 15, 1981, sponsored by Mr. Sasser, joined by Mr. Moynihan; Mr. Sarbanes; Mr. Cannon; Mr. Melcher; Mr. Randolph; Mr. Bradley; Mr. Pell; Mr. Pryor; Mr. Long; Mr. Riegle; Mr. Bentsen; Mr. Bumpers; Mr. Williams; Mr. Kennedy; Mr. Baucus; and Mr. Burdick.

S. Up. Amdt. No. 282, repealing straight-line method for certain buildings replacing demolished historic structures, sponsored by Mr. Chafee.

S. Up. Amdt. No. 283, to raise the limit on the special use valuation reduction in valuation to $600,000, sponsored by Mr. Baucus, joined by Mr. Grassley; and Mr. Symms.

S. Up. Amdt. No. 284, to amend the Internal Revenue Code of 1954 to clarify the tax exemption for interest on obligations of volunteer fire departments, sponsored by Mr. Lugar, joined by Mr. Biden; Mr. Randolph; Mr. Packwood; Mr. Pressler; Mr. D'Amato; Mr. Quayle; and Mr. Bradley.

S. Up. Amdt. No. 286, to make permanent certain rules relating to travel expenses of State legislators, sponsored by Mr. D'Amato, joined by Mrs. Hawkins; and Mr. Murkowski.

S. Up. Amdt. No. 287, to allow an unlimited marital deduction for estate and gift tax purposes for the transfer of certain life estates to a spouse, sponsored by Mr. Symms, joined by Mr. Boren.

S. Up. Amdt. No. 288, to increase the amount of the deduction allowable to a corporation in any taxable year for charitable contributions, sponsored by Mr. Kennedy.

S. Up. Amdt. No. 289, to provide for an investment tax credit for theatrical productions and game shows, sponsored by Mr. Stevens, joined by Mr. Moynihan.

S. Up. Amdt. No. 290, relating to the taxable income of a "principal campaign committee" of a candidate for election to Congress, sponsored by Mr. Ford, joined by Mr. Packwood.

S. Up. Amdt. No. 291, to amend the Internal Revenue Code of 1954 to redefine individuals eligible for the earned income credit, and for other purposes, sponsored by Mr. Huddleston, joined by Mr. Roth.

S. Up. Amdt. No. 299, relating to mutual savings banks having capital stock, sponsored by Mr. Gorton, joined by Mr. Jackson.

S. Up. Amdt. No. 300, relating to foreign investment in the United States real property interests, sponsored by Mr. Dole, joined by Mr. Wallop; Mr. Grassley; and Mr. Jepsen.

S. Up. Amdt. No. 301, to extend the research credit to materials and supplies and leased computer time, sponsored by Mr. Glenn, joined by Mr. Danforth.

S. Up. Amdt. No. 302, to suspend for a one-year period regulations relating to allocation under section 861 of research and experimental expenditures, sponsored by Mr. Glenn, joined by Mr. Danforth; Mr. Wallop; Mr. Bradley; Mr. Tsongas; and Mr. Cranston.

S. Up. Amdt. No. 303, to provide inventory reform for small business, sponsored by Mr. Mitchell, joined by Mr. Glenn; Mr. Bentsen; Mr. Baucus; Mr. D'Amato; Mr. Ford; Mr. Riegle; Mr. Cannon; Mr. Biden; Mr. Matsunaga; Mr. Sasser; Mr. Hatfield; Mr. Durenberger; Mr. Jepsen; Mr. Leahy; Mr. Weicker; and Mr. Boren.

S. Up. Amdt. No. 305, to require the Congressional Budget Office to monitor the pulse of the nation's economy and report to Congress its assessment of the nation's economic situation, sponsored by Mr. Heflin.

S. Up. Amdt. No. 306, providing for treatment of public utility property for "normalization," sponsored by Mr. Cranston, joined by Mr. Hayakawa.

S. Up. Amdt. No. 307, relating to the definition of "qualified person" for purposes of the at risk rules, sponsored by Mr. Wallop, joined by Mr. Durenberger.

S. Up. Amdt. No. 308, to provide that the at risk rules not apply to certain property, sponsored by Mr. Matsunaga, joined by Mr. Armstrong; Mr. Baucus; Mr. Bentsen; Mr. Boren; Mr. Bumpers; Mr. Burdick; Mr. Byrd of West Virginia; Mr. Byrd of Virginia; Mr. Cohen; Mr. Cranston; Mr. Danforth; Mr. DeConcini; Mr. Dixon; Mr. Dodd; Mr. Durenberger; Mr. Eagleton; Mr. Exon; Mr. Ford; Mr. Garn; Mr. Glenn; Mr. Grassley; Mr. Hart; Mr. Hatfield; Mr. Hayakawa; Mr. Heflin; Mr. Hollings; Mr. Huddleston; Mr. Inouye; Mr. Jackson; Mr. Jepsen; Mr. Kennedy; Mr. Leahy; Mr. Levin; Mr. Long; Mr. Melcher; Mr. Mitchell; Mr. Moynihan; Mr. Packwood; Mr. Pell; Mr. Percy; Mr. Pressler; Mr. Pryor; Mr. Randolph; Mr. Riegle; Mr. Rudman; Mr. Sarbanes; Mr. Sasser; Mr. Tsongas; Mr. Warner; Mr. Weicker; Mr. Williams; Mr. Zorinsky; Mr. Bradley; Mr. Denton; Mr. Gorton; Mr. Heinz; Mr. Johnston; and Mr. Murkowski.

S. Up. Amdt. No. 309, to provide for a one percent limit on the percentage limitation on additions to loan loss revenues by banks for 1982, sponsored by Mr. Bentsen, joined by Mr. Cranston; Mr. Proxmire; Mr. Boren; Mr. Symms; Mr. Danforth; Mr. D'Amato; and Mr. Zorinsky.

S. Up. Amdt. No. 310, a resolution on small business, financial institutions and farms, including language calling on the President to adopt policies to insure the continued financial health of small business, sponsored by Mr. Chiles, joined by Mr. Nunn; Mr. Boren; Mr. Sasser; Mr. Mitchell; Mr. Riegle; Mr. Bentsen; and Mr. Zorinsky.

S. Up. Amdt. No. 311, concerning imputed interest rates, sponsored by Mr. Melcher, joined by Mr. Abdnor; Mr. Andrews; Mr.

Kasten; Mr. Lugar; Mr. Zorinsky; Mr. Exon; Mr. Baucus; Mr. Boschwitz; Mr. Jepsen; Mr. Grassley; Mr. Domenici; Mr. Sasser; Mr. Quayle; Mr. Cochran; Mr. Pressler; Mr. Danforth; Mr. Armstrong; Mr. Simpson; Mr. Gorton; Mr. Durenberger; Mr. McClure; Mr. Symms; and Mr. Bentsen.

S. Up. Amdt. No. 312, to provide a judicial forum for individuals electing the extension of time for payment of estate tax, and for other purposes, sponsored by Mr. Symms.

S. Up. Amdt. No. 313, to extend for one year the transitional rule to the generation-skipping provisions for wills and revocable trusts executed before June 11, 1976, sponsored by Mr. Symms.

S. Up. Amdt. No. 314, to extend the same one time capital gains tax exclusion granted to elderly homeowners in 1978 to households in which at least one member is severely handicapped, sponsored by Mr. Leahy, joined by Mr. Weicker; Mr. Kennedy; Mr. Randolph; Mr. Williams; and Mr. Riegle.

S. Up. Amdt. No. 315, to provide a deduction for the adoption of a qualified child by the taxpayer, sponsored by Mr. Jepsen, joined by Mr. Levin; Mr. Hatfield; Mr. Durenberger; and Mr. Metzenbaum.

S. Up. Amdt. No. 318, to make technical corrections, sponsored by Mr. Dole.

S. Up. Amdt. No. 319, to restore declining balance rate on structures to 175 percent on a phased-in-basis, sponsored by Mr. Roth, joined by Mr. Baucus.

S. Up. Amdt. No. 320, to clarify employee stock ownership, sponsored by Mr. DeConcini, joined by Mr. Hart; Mr. Armstrong; Mr. Matsunaga; Mr. Hayakawa; and Mr. Randolph.

S. Up. Amdt. No. 322, to provide for a credit against tax certain home heating costs, sponsored by Mr. Rudman, joined by Mr. Kennedy; Mr. Pell; Mr. Durenberger; Mr. Heinz; Mrs. Hawkins; and Mr. D'Amato.

S. Up. Amdt. No. 323, concerning depreciation of racehorses, sponsored by Mr. Huddleston, joined by Mr. Ford; Mr. Matsunaga; Mrs. Hawkins; Mr. Boren; Mr. Chafee; Mr. Warner; and Mr. Mathias.

S. Up. Amdt. No. 324, to modify the investment tax rules applicable to railroad rolling stock, sponsored by Mr. Roth, joined by Mr. Packwood; Mr. Percy; Mr. Tower; Mr. Bentsen; Mr. Biden; Mr. Dixon; Mrs. Hawkins; and Mr. Hayakawa.

S. Up. Amdt. No. 325, to amend section 274(b)(1)(c) of the Internal Revenue Code of 1954 with respect to the deductibility of gifts by employers to employees in recognition of length of service or achievement, sponsored by Mr. Garn, joined by Mr. Hatch.

S. Up. Amdt. No. 326, to provide for a special statement of request for new budget authority, estimates of outlays and revenues, and estimates of deficits or surplus for the Federal Old-Age and Survivors Insurance Trust Fund, the Federal Disability Insurance Trust Fund, and the Federal Hospital Insurance Trust Fund, sponsored by Mr. Eagleton, joined by Mr. Bradley; Mr. Williams; Mr. Proxmire; and Mr. Sasser.

S. Up. Amdt. No. 328, providing that the deduction for the adoption of a qualified child by a taxpayer be effective for years beginning after December 1, 1980, sponsored by Mr. Jepsen, joined by Mr. Levin; and Mr. Metzenbaum.

S. Up. Amdt. No. 330, relating to cash management, sponsored by Mr. Dole.

S. Up. Amdt. No. 331, relating to the treatment of coal utilization property for purposes of ACRS, sponsored by Mr. Byrd of West Virginia, joined by Mr. Ford; Mr. Huddleston; Mr. Inouye; Mr. Jackson; Mr. Randolph; Mr. Metzenbaum; Mr. Mathias; Mr. Glenn; Mr. Matsunaga; Mr. Dodd; Mr. Burdick; Mr. Dixon; Mr. Warner; Mr. Heinz; and Mr. Percy.

S. Up. Amdt. No. 332, technical amendment, sponsored by Mr. Dole.

S. Up. Amdt. No. 333, to limit the amount previously granted options which may qualify as incentive stock options, sponsored by Mr. Dole.

S. Up. Amdt. No. 448, to index certain provisions of the Internal Revenue Code of 1954, sponsored by Mr. Dole.

S. Up. Amdt. No. 492, to insure the confidentiality of information filed by individual taxpayers with the Internal Revenue Service pursuant to the Internal Revenue Code and, at the same time, to insure the effective enforcement of Federal and State criminal laws and the effective administration of justice, sponsored by Mr. Nunn, joined by Mr. Chiles; Mr. DeConcini; Mr. Cohen; Mr. Bentsen; Mr. Domenici; Mr. Long; Mr. Roth; Mr. Rudman; Mr. Jackson; Mr. Schmitt; Mr. Boren; Mr. Pryor; Mr. Johnston; Mr. Hollings; Mr. Exon; Mr. Stennis; Mr. Randolph; Mr. Zorinsky; Mr. Mattingly; and Mr. Byrd of West Virginia.

S. Up. Amdt. No. 507, to amend the Internal Revenue Code of 1954 to allow the credit for production of natural gas from certain nonconventional sources only if such natural gas was sold at a lawful price without regard to section 107 and subtitle B of title I of the Natural Gas Policy Act of 1978, sponsored by Mr. Tower, joined by Mr. Bentsen; Mr. Johnston; and Mr. Hart.

Signed by President September 30, 1981.

Became Public Law No. 97-48 September 30, 1981.

EDUCATION

S. Res. 256, disapproves the "Needs Analysis for Student Assistance"

A resolution to disapprove the submission of the needs analysis for student assistance transmitted to the Congress on October 13, 1981, expressing the sense of the Senate with respect to the family contribution schedule.

Sponsored by Mr. Stafford, and cosponsored by Mr. Pell.

Passed Senate on December 10, 1981.

H.R. 5273, Effect of G. W. University Revenue Act

Allows the George Washington University Higher Education Facilities Revenue Bond Act of 1981 of the District of Columbia to take effect immediately.

Passed Senate on December 16, 1981.

ENERGY

S. 306, authorizes the Secretary of the Interior to construct, operate, and maintain hydroelectric powerplants at various existing water projects, and for other purposes

Authorizes the Secretary of the Interior to construct, operate, and maintain the following hydroelectric powerplants: (1) the Friant powerplant, California; (2) the Whiskeytown powerplant, California; (3) the Yellowtail Afterbay powerplant, Montana; (4) the Buffalo Bill Dam powerplant replacement, Wyoming; (5) the Red Bluff powerplant California; the Stony Gorge powerplant, California; (7) the Monticello powerplant, California; (8) the Palisades powerplant enlargement, Idaho and Wyoming; (9) the Anderson Ranch powerplant enlargement, Idaho; and (10) the Minidoka powerplant rehabilitation and enlargement, Idaho and Wyoming. Authorizes the Secretary of Energy to construct, operate, and maintain transmission facilities for such powerplants and to purchase replacement capacity, energy, or both in order to maintain deliveries to customers during unit outages caused by such powerplant construction.

Directs the Secretary of the Interior and the Secretary of Energy to minimize the loss of capacity, energy, or both to power customers due to unit outages resulting from such powerplant construction. Directs the Secretary of Energy to maintain deliveries of capacity, energy, or both at contract prices to customers affected by such unit outages.

Requires that the hydroelectric power generated by such facilities be marketed by the Secretary of Energy through specified Federal hydroelectric power marketing systems.

Authorizes appropriations beginning in fiscal year 1982 to the Secretary of the Interior for: (1) construction, operation, and maintenance of the powerplants authorized under this Act; and (2) the cost of replacement capacity, energy, or both. Authorizes appropriations beginning in fiscal year 1982 to the Secretary of Energy for transmission facilities and the purchase of replacement capacity, energy, or both.

Sponsored by Mr. Hatfield, was reported by the Senate Committee on Energy and Natural Resources, and cosponsored by Mr. Jackson, Mr. Wallop, Mr. Melcher, Mr. Cranston, Mr. Domenici, Mr. DeConcini, and Mr. Matsunaga.

Passed the Senate with amendments by Voice Vote, September 22, 1981.

S. 383, provides for the reinstatement and validation of United States oil x and gas lease numbered M 16402 (ND) Act

Sponsored by Mr. Andrews, was reported by the Senate Committee on Energy and Natural Resources, and cosponsored by Mr. Burdick.

Passed Senate with an amendment by Voice Vote, November 2, 1981.

S. 466, reinstates U.S. Oil and Gas Lease numbered M-15450

Sponsored by Mr. Burdick, was reported by the Senate Committee on Energy and Natural Resources, and cosponsored by Mr. Andrews.

Passed Senate on November 2, 1981.

S. 651, provides for the reinstatement and validation of United States oil and gas lease numbered W-46102

Sponsored by Mr. Wallop, was reported by the Senate Committee on Energy and Natural Resources, and cosponsored by Mr. Bentsen.

Passed Senate with an amendment by Voice Vote, November 2, 1981.

S. 875, authorizes the generation of electric power at the Palo Verde Irrigation District Diversion Dam, California

Sponsored by Mr. Hayakawa, was reported by the Senate Committee on Energy and Natural Resources, and cosponsored by Mr. Cranston.

Signed by the President on August 14, 1981 and became Public Law No. 97-41.

S. 1099, amends the Natural Gas Pipeline Safety Act of 1968 and the Hazardous Liquid Pipeline Safety Act of 1979 to allow the Secretary of Transportation to schedule meetings of the Technical Pipeline Safety Standards Committee twice each calendar year (formerly every six months). Extends from 60 to 90 days, the period within which an aggrieved party may file for judicial review of an administrative order. Authorizes appropriations for fiscal years 1982 and 1983 for the purposes of such Acts

Sponsored by Mr. Packwood, was reported by the Senate Committee on Commerce, Science, and Transportation.

Senate passed companion measure H.R. 3420 in lieu of this measure by Voice Vote, July 17, 1981.

S. 1457, reinstates United States oil and gas lease number OR-13713

Sponsored by Mr. Jackson, was reported by the Senate Committee on Energy and Natural Resources, and cosponsored by Mr. Gorton.

Passed Senate with an amendment by Voice Vote, November 2, 1981.

S. 1475, amends the Energy Policy and Conservation Act to extend from September 30, 1981, to June 30, 1985: (1) the authority for oil companies to carry out voluntary agreements for implementing the allocation and information provisions of the international energy program; and (2) the antitrust exemption for oil companies participating in such program

Sponsored by Mr. McClure, was reported by the Senate Committee on Energy and Natural Resources, and cosponsored by Mr. Jackson.

Signed by the President on September 30, 1981 and became Public Law No. 97-50.

S. 1503, Standby Petroleum Allocation Act of 1981

Authorizes the President, if a severe petroleum supply shortage exists, to implement a standby regulation providing for the mandatory allocation of crude oil, residential fuel oil, and any refined petroleum product. Permits the imposition of price controls. Directs the President to promulgate a general standby regulation for administration of such allocation authority. Prohibits the implementation of any such allocation authority unless the President has transmitted notice to Congress in an energy action message pursuant to the Energy Policy and Conservation Act and, neither House of Congress has disapproved the message within 15 days. Provides that the standby regulation shall be effective for no more than 90 days after implementation, except that there may be a 60 day extension.

Provides, that thereafter, a new message must be submitted which has not been disapproved.

Sets forth civil penalties for the violation of the standby regulation or any order issued pursuant to this Act.

Terminates the provisions of this Act on January 1, 1985.

Sponsored by Mr. McClure, was reported by the Senate Committee on Energy and Natural Resources, and cosponsored by Mr. Baucus.

The Senate agreed to the following amendments:

S. Up. Amdt. No. 519 to make a committee technical amendment, sponsored by Mr. McClure.

S. Up. Amdt. No. 520, conforming to the intent of the committee that the President have the flexibility to tailor any implementation of the standby regulation to the scope, duration, and nature of the shortage, sponsored by Mr. McClure.

S. Up. Amdt. No. 545, to provide for preemption of State and local price and allocation programs, sponsored by Mr. Johnston joined by Mr. McClure.

S. Up. Amdt. No. 546, to further modify the subject of the impact study called for in section II., sponsored by Mr. Bradley.

S. Up. Amdt. No. 548, to provide Congressional oversight for standby regulations, sponsored by Mr. Durenberger.

Passed Senate with amendments and an amendment to the Title by Yea-Nay Vote. 85-7. Record Vote No. 343, October 29, 1981.

S. 1605, reinstates and validates United States oil and gas lease numbered E. S. 20644.

Sponsored by Mr. Johnston, was reported by the Senate Committee on Energy and Natural Resources.

Passed Senate without amendment by Voice Vote, Number 2, 1981.

S.J. Res. 115, approves the President's recommendation for a waiver of law pursuant to the Alaska Natural Gas Transportation Act of 1976

Sponsored by Mr. McClure, was reported by the Senate Committee on Energy and Natural Resources, ana cosponsored by Mr. Jackson, Mr. Stevens, and Mr. Murkowski.

Passed Senate without amendment by Yea-Nay Vote. 75-19. Record Vote No. 399. November 19, 1981.

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H.R. 2166, amends the Energy Policy and Conservation Act to extend: (1) the authority for oil companies to participate in the international energy program; and (2) the antitrust exemption for such companies

Measures signed in Senate on March 12, 1981 and signed by the President on March 13, 1981 and became Public Law No. 97-5.

H.R. 3413, Department of Energy National Security and Military Applications of Nuclear Energy Authorization Act of 1982

Title I: National Security Programs.—Authorizes the appropriation of funds for fiscal year 1982 to the Department of Energy for operating expenses and plant and capital equipment costs incurred in carrying out national security programs, including scientific research and development, strategic and critical materials necessary for common defense, and military applications of nuclear energy, as specified.

Title II: General Provisions.—Prohibits the use of funds authorized under this Act where the costs of the program exceed 105 percent of the program authorization or the costs exceed by more than $10,000,000 the amount authorized by this Act, whichever is the lesser. Prohibits the use of authorized funds for programs which have not been presented to, or requested of Congress unless 30 calendar days have elapsed since the Secretary of Energy has presented to all the appropriate Congressional committees a full and complete statement of the action proposed. Allows the written waiver of such requirement as specified.

Imposes specified limits on the cost and cost overruns of general plant projects and construction projects.

Allows the transfer of funds from specified projects to other Federal agencies for the performance of work for which the appropriation is made.

Authorizes the Secretary to perform construction design services for proposed construction projects with amounts authorized for plant engineering and design, and to perform such services using available funds for any Department of Energy defense activity construction project in the event of any national emergency.

Amends the Atomic Energy Act of 1954 to grant the power of arrest to employees authorized by the Nuclear Regulatory Commission to carry firearms for security reasons in the discharge of their official duties.

Prohibits the use of funds appropriated pursuant to this Act for the preparation of an environmental impact statement concerning the operation of any defense facility of the Department of Energy unless such statement is already in process or is required by law.

Prohibits the use of funds to contract for, or fulfill contract obligations for, the performance of security and protective functions at the Los Alamos National Laboratory. Requires the security functions at such laboratory to be performed by Government personnel and not be subject to performance by contract.

Measure signed in Senate on November 20, 1981 and signed by the President on December 4, 1981 and became Public Law No. 97-90.

H.R. 3975, amends the Mineral Lands Leasing Act of 1920 and the Mineral Leasing Act for Acquired Lands to expand the application of such Acts to include gilsonite and all vein-type solid hydrocarbons. Provides that acreage in special tar sand areas shall not be chargeable against State acreage limitations applicable to oil and gas leaseholders

Reported by the Senate Committee on Energy and Natural Resources.

Measure signed in Senate, November 4, 1981 and signed by the President on November 16, 1981 and became Public Law No. 97-78.

H.R. 4926, authorizes the Secretary of the Army to acquire such oil, gas, coal, or other mineral interests owned by the Osage Tribe of Indians necessary for the construction of the Skiatook Lake, Osage County, Oklahoma

Authorizes the Secretary of the Army to acquire such oil, gas, coal, or other mineral interests owned by, or held in trust for, the Osage Tribe of Indians, to the extent necessary for the construction of works relating to Skiatook Lake in Oklahoma and its operation and maintenance as part of a project for improvement of the Verdigris River and tributaries on Oklahoma and Kansas under the Flood Control Act of 1962.

Passed Senate on December 15, 1981.

Authorizes the Osage Tribal Council and the Secretary of the Army to negotiate a contract, subject to approval by the Secretary of the Interior, for the purchase of such mineral subordination.

Authorizes the Secretary of the Interior to disburse the proceeds of such contract payment by the Secretary of the Army to the Osage Tribe of Indians.

Limits contract and payment authority under this Act to the extent and amounts provided in advance in appropriations Acts. Provides that any direct or indirect authorization of the enactment of new budget authority by this Act shall be effective only for fiscal years beginning after September 30, 1982.

ENVIRONMENT

S. 999, authorizes appropriations though fiscal year 1984 for the Fire Research Center of the National Bureau of Standards

Sponsored by Mr. Packwood.

The Senate agreed to the following amendment:

S. Up. Amdt. No. 489, to make an amendment in the nature of a substitute, sponsored by Mr. Baker, joined by Mr. Hollings; Mr. D'Amato; Mr. Leahy; Mr. Randolph; and Mr. Helms.

Signed by the President on November 20, 1981 and became Public Law No. 97-80.

S. 1001, amends the Earthquake Hazards Reduction Act of 1977 to extend authorization for appropriations for fiscal year 1982, and for other purposes

Sponsored by Mr. Packwood.

Passed Senate without amendment by Voice Vote, April 29, 1981.

S. 1002, amends the National Climate Program Act to authorize appropriations to carry out the purposes of such Act for fiscal year 1982

Sponsored by Mr. Packwood.

Passed Senate without amendment by Voice Vote, May 5, 1981.

S. 1003, amends the Marine Protection, Research, and Sanctuaries Act of 1972 to authorize up to $2,235,000 for fiscal year 1982 and necessary sums for fiscal year 1983 for marine sanctuaries

Sponsored by Mr. Packwood.

Passed Senate without amendment by Voice Vote, May 4, 1981.

S. 1133, amends the National Advisory Committee on Oceans and Atmosphere Act of 1977 to revise specified terms of membership. Authorizes appropriations to carry out the purposes of such Act for fiscal year 1982

Sponsored by Mr. Packwood.

Signed by the President on December 1, 1981 and became Public Law No. 97-87.

S. 1204, Quiet Communities Act

Amends the Noise Control Act of 1972 to repeal the authority of the Administrator of the Environmental Protection Agency to establish noise emission standards for products distributed in interstate commerce or noise control regulations pertaining to product labeling. Revises provisions relating to standards for railroad and motor carrier noise and to the right of a State or local government to establish and enforce noise control regulations.

Sponsored by Mr. Gorton.

Passed Senate without amendment by Voice Vote, July 14, 1981.

S. 1210, amends the Environmental Quality Improvement Act of 1970 to authorize appropriations for the operations of the Office of Environmental Quality and the Council on Environmental Quality

Sponsored by Mr. Gorton.

Passed Senate without amendment by Voice Vote, June 2, 1981.

S. 1211, amends the Toxic Substances Control Act to authorize appropriations for fiscal year 1982 to the Administrator of the Environmental Protection Agency to carry out the provisions of such Act (with the exception of provisions relating to State programs, to development and evaluation of test methods, and to research, development, and monitoring

Sponsored by Mr. Gorton.

Passed Senate without amendment by Voice Vote, June 2, 1981.

Senate disagreed to House amendments by Voice Vote and requested a conference November 18, 1981.

Conference scheduled for December 9, 1981.

S. 1213, amends the Marine Protection, Research, and Sanctuaries Act to authorize appropriations for regulation of ocean dumping for fiscal year 1982

Sponsored by Mr. Chafee.

Signed by the President on June 23, 1981 and became Public Law No. 97-16.

H.R. 4084, amends Marine Mammal Protection Act of 1972

Amends the Marime Mammal Protection Act of 1972 to revise procedures regarding the taking of marine mammals.

Measure passed Senate on September 29, 1981.

Became Public Law No. 97-58, October 9, 1981.

Repeals that section of the Act concerning "optimum carrying capacity." Redefines "depletion" and "depleted" for purposes of the Act.

Exempts pure seine tuna fishing from the zero-mortality goal. Requires, in lieu of such zero-mortality goal, continuation of the best marine mammal safety techniques for tuna fishing that are economically and technologically practicable.

Authorizes the Secretary of the Interior (or the Secretary of the department in which the National Oceanic and Atmospheric Administration is operating) to transfer management authority for a species of marine mammal to a State if the Secretary finds that the State will implement a program for the conservation and management of the species that: (i) is consistent with the purposes and goals of the Act and with treaty obligations; (2) requires that all taking of the species be humane; (3) does not permit the taking of the species unless the State has determined that the species is at its optimum sustainable population; (4) does not permit the State to regulate the taking of the species for scientific research and public display purposes; (5) provides procedures for acquiring data relating to the optimum sustainable population of the species and the maximum take that would maintain the species at that level; and (6) provides for the submission of an annual report to the Secretary. Requires specified standards, including public hearings, for the development of a State program. Provides special rules for the development of a program by the State of Alaska. Authorizes the Secretary to revoke, after notice and opportunity for a hearing, any transfer of management authority to a State if the Secretary finds the State program is implemented in a manner inconsistent within this Act. Allows for the voluntary return of management authority from a State to the Secretary.

Authorizes the Secretaries to make grants to the States of 50 percent of the cost of developing and administering management programs.

Authorizes the Secretaries to make grants to Federal or State agencies and public or private institutions for research into new methods of locating and catching yellow-fin tuna without the incidental taking of marine mammals.

Authorizes appropriations for the Departments of Commerce and Interior and the Marine Mammal Commission for fiscal years 1983 and 1984 for purposes of carrying out the provisions of this Act.

H.R. 4503, Federal Water Pollution Control Act Amendments of 1981

Amends the Federal Water Pollution Control Act to authorize funds for fiscal year 1982 for construction of treatment works.

Passed Senate in lieu of S. 1716 with an amendment by Voice Vote, October 29, 1981.

Senate requested a conference, October 29, 1981.

Conference scheduled for December 8, 1981.

FISHERIES

S. 1191, amends the Fishermen's Protective Act of 1967 to require the investment in United States obligations or in United States guaranteed obligations of fees collected in accordance with agreements by the United States to reimburse commercial fishermen for certain losses caused by foreign countries seizing their vessels. Extends for one year the authority of the Secretary of Commerce to make such reimbursements.

Sponsored by Mr. Packwood.

The Senate agreed to the following amendment:

S. Up. Amdt. No. 460, amendment in the nature of a substitute, sponsored by Mr. Gorton.

Signed by the President on October 26, 1981 and became Public Law No. 97-68.

S. 1337, prohibits any foreign vessel from engaging in processing or fishing support activities in Alaskan internal waters during 1981 unless: (1) the Governor of Alaska determines the extent to which United States fish processors will not have or will not utilize adequate processing capacity in specified Alaskan internal waters and determines the duration of such lack of capacity; and (2) the Secretary of Commerce concurs with the Governor's determination and authorizes the transfer of fish to foreign vessels in Alaskan internal waters. Sets forth penalties for violations of this Act

Sponsored by Mr. Stevens and cosponsored by Messrs. Murkowski and Packwood.

Passed Senate without amendment by Voice Vote, June 10, 1981.

GENERAL GOVERNMENT

S. 10, establishes a Commission on More Effective Government, with the declared objective of improving the quality of government in the United States and of restoring public confidence in government at all levels

Sponsored by Mr. Roth, was reported by the Senate Committee on Governmental Affairs, and cosponsored by Mr. Eagleton, Mr. Nunn, and Mr. Hatfield.

Passed Senate with amendments by Yea-Nay Vote 79-4. Record Vote No. 457, December 7, 1981.

S. 187, authorizes Secretary of the Interior to Convey Certain Lands near Miles City, Montana

Authorizes the Secretary of the Interior to: (1) convey by patent specified lands to Miles City, Montana; and (2) convey to Miles City and Custer County, Montana, such evidence as is necessary to remove reversionary provisions for certain public lands previously patented. Requires any document issued pursuant to such conveyances to contain a reservation to the United States of all mineral rights in such lands.

Sponsored by Mr. Melcher, was reported by the Senate Committee on Energy and Natural Resources.

Passed Senate, amended on September 22, 1981.

S. 195, grants a Federal charter to the United States Submarine Veterans of World War II

Sponsored by Mr. Goldwater, was reported by the Senate Committee on the Judiciary, and cosponsored by Mr. Andrews; Mr. Armstrong; Mr. Baker; Mr. Bentsen; Mr. Boren; Mr. Bradley; Mr. Cochran; Mr. DeConcini; Mr. Exon; Mr. Ford; Mr. Garn; Mr. Glenn; Mr. Gorton; Mr. Hart; Mr. Hatch; Mr. Hayakawa; Mr. Heflin; Mr. Huddleston; Mr. Inouye; Mr. Johnston; Mr. Leahy; Mr. Lugar; Mr. Mathias; Mr. Pryor; Mr. Randolph; Mr. Sarbanes; Mr. Sasser; Mr. Stafford; Mr. Williams; Mr. Dodd; Mr. Mattingly; Mr. Symms; Mr. Kasten; Mr. Helms; Mr. Chiles; Mr. Boschwitz; Mr. Warner; Mr. Quayle; Mr. Humphrey; Mr. Thurmond; Mr. Weicker; and Mr. Percy.

Signed by the President on November 20, 1981 and became Public Law No. 97-83.

S. 253, increases the number of members of the Commission on Wartime Relocation and Internment of Civilians

Sponsored by Mr. Stevens.

Signed by the President on February 10, 1981 and became Public Law No. 97-3.

S. 533, Public Buildings Cooperative Use Act Amendments of 1981 Public Buildings Act of 1980 Federal Buildings Enhancement Act of 1981

Title I: General Authorities.—Gives the Administrator of General Services (GSA), acting through the Public Buildings Service, sole authority to acquire, design, construct, lease, manage, maintain, repair, renovate, and assign space in public buildings. Establishes in GSA a Public Buildings Service to be headed by a Commissioner of Public Buildings. Creates the position of Supervising Architect to supervise all design activities of the Public Buildings Service.

Permits the Administrator to delegate to an agency head any of the aforementioned authorities in regard to the public buildings needs of such agency. Requires the Administrator annually to report to Congress concerning activities undertaken to meet the public buildings needs of Federal agencies. Specifies lists to be included in such report. Requires the Administrator to maintain specified information in order to keep Congress fully informed.

Directs the Administrator to require, prior to executing any lease or other contract which would obligate funds in excess of $10,000 authorized pursuant to this Act, a certification from the owner of the space to be leased or the contractor. Requires such certification to include statements and declarations that such owner or contractor, or any of his officers or principal employees: (1) has no business or employment relationship or interest or holding which constitutes a conflict of interest; (2) has not offered or promised anything of value to a public official with the intent to influence any official act or to induce the official to perform any act in violation of his lawful duties; (3) has not been debarred or suspended from the award of public contracts; (4) has not had a public contract terminated for default; and (5) has not been convicted, within ten years prior to the date of the solicitation, of, or is not currently under indictment for or otherwise charged with, specified offenses.

Makes the Administrator responsible for the interpretation of all contracts entered into to carry out this Act. Authorizes the Administrator to conduct research and post-occupancy evaluation to determine and improve the effectiveness of existing and planned public buildings in providing accommodations for Federal agency offices.

Repeals the Public Buildings Act of 1959.

Title II: Locations for Federal Agency Offices.—Requires the headquarters offices of each Federal agency to be located in the National Capital region. Requires regional, district, area, or local Federal agency offices to be centrally located or within easy transportation access of the populations they serve or other offices with which they must maintain frequent communication. Requires other Federal agency offices to be distributed throughout the country generally in proportion to the geographic distribution of the population.

Sets forth criteria to be used in locating, planning for, and consolidating the public buildings needs of Federal agencies.

Permits agency heads and the Director of the Administrative Office of the U.S. Courts to appeal locations assigned by the Administrator. Specifies that nothing in this Act shall require the relocation of any office from its present location.

Title III. Design and Management of Public Buildings.—States that public buildings shall be, except under specified circumstances, designed and constructed so as to approximate the costs, durability, and ratio of net usable space to gross space of commercial buildings that serve similar purposes. Sets forth requirements for the design and maintenance of public buildings, including quality of architecture, energy efficiency, conformity with existing buildings, furnishings, and parking facilities for motor vehicles and bicycles.

Declares that nothing in this Act shall affect the applicability of the Architectural Barriers Act of 1968 to any building or facility.

Amends such Act to expand the definition of "building" presently used in such Act to include acquired buildings.

Revises specified standards by which required accessibility to certain public buildings may be waived or modified by the agencies required to issue such standards.

Authorizes the Administrator, upon the request of local and State officials, to name a public building after, and establish a memorial therein in honor of, any person who has made notable contributions to government, science, industry, education, the arts, or other fields of human endeavor.

Title IV: Mixed Use and Adaptive Use in Public Buildings.—Public Buildings Cooperative Use Act Amendments of 1981—Amends the Public Buildings Cooperative Use Act of 1976 to direct the Administrator to design, construct, and leaseout space for commerical, cultural, educational, and recreational activities. Sets forth conditions for space so leased.

Repeals provisions requiring the Administrator to: (1) identify existing buildings of historic, architectural, or cultural significance suitable for meeting Federal public buildings needs; and (2) notify Congress of the use or nonuse of such buildings.

Title V: Exhibitions and Works of Art.—Federal Building Enhancement Act of 1981—Directs the Administrator to: (1) acquire works of art by living American artists to be exhibited in Federal buildings; (2) develop exhibitions for Federal buildings that reflect the heritage or development of the United States; and (3) commission works of art by American artists for Federal buildings. Sets forth standards such works of art and exhibitions shall meet. Requires the Administrator to avoid the development of an official style in architecture or art. Authorizes the Administrator to use one-half of one percent of the sums available for the construction, repair, and acquisition of public buildings for such purposes.

Title VI: Architectural Services.—Directs the Administrator to employ architects, designers, and urban planners to prepare, under the supervision of the Supervising Architect, plans for such public building projects as the Commissioner of Public Buildings may designate. Requires those architectural designs not prepared in accordance with the above to be procured in accordance with the Federal Property and Administrative Services Act of 1949 and requires a design competition between at least three qualified architectural firms, with regard to a substantial portion of public building construction and renovation projects each year. Directs the Administrator to make public the reasons for the selection made. Requires that firms participating in such competition receive no more than one-half of one percent of the expected project costs.

Title VII: Leasing.—Directs the Administrator to compare, using specified considerations, the long-term costs and benefits of construction, acquisition, and leasing in order to accommodate the public building needs of the United States. Requires the Director of the Office of Management and Budget and the Administrator, within nine months of the date of enactment of this Act, to submit jointly to certain Congressional committees a report detailing methods to be used in formulating such long-term comparisons.

Declares that it is the sense of Congress that long-term economies would be effected by assuring that, within ten years of the date of enactment of this Act, no fewer than 60 percent of Government employees whose offices are provided under this Act shall have their principal offices in public buildings.

States that the percentages of Government employees provided offices in leased space and public building space shall be, to the extent possible, achieved uniformly throughout the United States. Prohibits the Administrator from contracting for the construction of any building other than one Government-owned except under specified circumstances. Prohibits leasing space for specified Federal functions, beginning in fiscal year 1983, unless necessary to meet immediate and urgent requirements.

Exempts buildings leased pursuant to this Act from provisions requiring money consideration and limiting the amount of rent.

Prohibits rental rates from exceeding current commerical rates for space of nearest comparable quality.

Requires the Admininstrator to publicly solicit competitive bids to procure space by lease for the Government. Directs the Administrator to provide a copy of the lease agreement to the highest ranking official of each Federal agency inleased buildings.

Title VIII: Congressional Authorization.—Directs the Administrator to submit annually to Congress a program of necessary projects and actions for the coming fiscal year.

Directs the Administrator: (1) to certify that public hearings have been held or the opportunity for same afforded for each major project in such report; and (2) to provide a final environmental impact statement for such projects.

Prohibits the obligation of any appropriation for a public building without Congressional authorization. Requires appropriations for the cost of completion of any public building before construction may commence. Prohibits, beginning in fiscal year 1983, a lease from being entered unless the authority to enter into contracts has first been granted for the maximum cost of such lease over its entire term.

Authorizes appropriations to the Public Buildings Service for fiscal year 1982 with specified amounts earmarked for: (1) the construction, Acquisition, or renovation of public buildings in specified localities; (2) alteration of leased buildings and lease agreements; (3) planning and preliminary design of projects; (4) real property operations; (5) program direction; and (6) other obligations.

Reserves a portion of such funds for unanticipated changes and requires the submission of an explanatory statement on such changes to specified Congressional committees before such funds may be obligated. Authorizes the Administrator to increase expenditures or decrease the amount of space to be constructed, up to specified limits, if the project costs exceed the estimated maximum cost authorized. Directs the Administrator to report to specified Congressional committees. Requires Congressional approval of any other action.

Title IX: Miscellaneous.—Makes this Act effective October 1, 1981.

Sponsored by Mr. Stafford, was reported by the Senate Committee on Environment and Public Works, and cosponsored by Mr. Moynihan; Mr. Chafee; Mr. Randolph; Mr. Simpson; Mr. Baker; Mr. Baucus; Mr. Burdick; Mr. Dole; Mr. Gorton; Mr. Huddleston; Mr. Inouye; Mr. Matsunaga; Mr. Mitchell; Mr. Proxmire; and Mr. Durenberger.

The Senate agreed to the following amendments:

S. Up. Amdt. No. 67, to clarify certain cost-saving provisions and for other purposes, sponsored by Mr. Stafford joined by Mr. Moynihan and Mr. Randolph.

S. Up. Admdt. No. 68, to amend section 802(b) and to make related conforming amendments, sponsored by Mr. Stafford.

S. Up. Amdt. No. 69, providing that the Administrator may conduct research and post-occupancy evaluation to determine and improve the effectiveness of existing and planned public buildings in providing productive, safe, healthful, economical, conveniently located, energy efficient, and architecturally distinguished accommodations for Federal agency offices, sponsored by Mr. Moynihan.

S. Up. Amdt. No. 70, to provide for technical amendments, sponsored by Mr. Stafford joined by Mr. Moynihan.

Passed Senate with amendments and an amendment to the Title by Yea-Nay Vote. 93-0. Record Vote No. 90, May 6, 1981.

S. 634, authorizes the Secretary of Agriculture to convey a described parcel of land currently owned by the United States to a named individual in exchange for the conveyance to the United States of a described parcel of land curently owned by such individual

Sponsored by Mr. McClure, was reported by the Senate Committee on Energy and Natural Resources, and cosponsored by Mr. Symms, Mr. Wallop, and Mr. Simpson.

Passed Senate without amendment by Voice Vote, September 22, 1981.

S. 778, authorizes the appropriation of a specified sum to the Board of Regents of the Smithsonian Institution to plan for a certain development project

Sponsored by Mr. Goldwater, was reported by the Senate Committee on Rules and Administration, and cosponsored by Mr. Jackson.

Passed Senate without amendment by Voice Vote, November 6, 1981.

S. 892, amends the Federal Grant and Cooperative Agreement Act of 1977 to renew the authority of the Office of Management and Budget to exempt individual transactions and programs from the requirements of such Act

Sponsored by Mr. Roth, was reported by the Senate Committee on Governmental Affairs, and cosponsored by Mr. Chiles.

Passed Senate without amendment by Voice Vote, September 22, 1981.

S. 893, Reorganization Act of 1981

Extends (for four years) the authority of the President to reorganize the Executive branch.

Lengthens the period during which the President may amend or withdraw a reorganization plan submitted to Congress. Lengthens the period within which the Committee on Government Operations of the House or the Committee on Governmental Affairs of the Senate must report a resolution approving the plan or be discharged from consideration thereof.

Directs the President to include with each reorganiation plan transmitted to Congress: (1) a draft of any Executive order, Presidential directive, or other administrative action required in such reorganization; until evidence that preliminary planning to achieve effective implementation of the reorganization has taken place.

States that a reorganization plan may not rename an existing Executive department or create an independent agency.

Revises the procedure for the Congressional veto of a reorganization plan. Declares that such a plan shall be effective if: (1) each House of Congress adopts a resolution approving the plan within 90 days of continuous session of Congress after the plan is transmitted to Congress; or (2) upon the expiration of such period, unless either House has rejected such a resolution.

Sponsored by Mr. Roth, was reported by the Senate Committee on Governmental Affairs.

Passed Senate with amendments by Voice Vote, June 15, 1981

S. 1033, grants the consent of Congress to the agreement between North Carolina and South Carolina establishing their mutual seaward boundary

Sponsored by Mr. Hollings, was reported by the Senate Committee on the Judiciary, and cosponsored by Mr. Thurmond, Mr. East, and Mr. Helms.

Signed by the President on October 9, 1981 and became Public Law No. 97-59.

S. 1050, authorizes appropriations for the National Historical Publications and Records Commission for fiscal years 1982 and 1983

Sponsored by Mr. Mathias, was reported by the Senate Committee on Governmental Affairs, and cosponsored by Mr. Pryor, Mr. Pell, and Mr. Sasser.

Passed Senate without amendment by Voice Vote, June 2, 1981.

S. 1098, National Aeronautics and Space Administration Authorization Act, 1982

Authorizes appropriations to the National Aeronautics and Space Administration (NASA) for research and development programs, construction of facilities including land acquisition, and research and program management. Sets forth guidelines with respect to the use and availability of funds appropriated to this Act.

Sponsored by Mr. Packwood, was reported by the Senate Committee on Commerce, Science, and Transportation, and cosponsored by Mr. Schmitt.

Passed Senate with amendments by Voice Vote, May 21, 1981.

Senate agreed to conference report by Voice Vote, November 23, 1981.

S. 1131, Delinquent Payments Act of 1981

Requires Federal agencies to pay interest on overdue payments to businesses for property or services. Specifies the procedure for computing such interest. Requires an agency to pay any such interest charges out of funds appropriated for its programs.

Allows an agency to take advantage of an early payment discount only if payment is made within the time specified by the business.

Directs each agency to report to Congress annually on interest payments made during the fiscal year.

Sponsored by Mr. Danforth and cosponsored by Mr. Weicker; Mr. Roth; Mr. Sasser; Mr. Baucus; Mr. Chiles; Mr. Cochran; Mr. Cohen; Mr. Dole; Mr. Durenberger; Mr. Grassley; Mr. Hatch; Mr. Jackson; Mr. Metzenbaum; Mr. Moynihan; Mr. Percy; Mr. Rudman; Mr. Specter; Mr. Stevens; Mr. Levin; Mr. Chafee; Mr. Garn; Mr. Nunn; Mr. Heflin; Mr. Pryor; Mr. Jepsen; Mr. Schmitt; Mr. Huddleston; Mr. Symms; Mr. Lugar; Mr. Thurmond; Mr. Hart; Mrs. Hawkins; Mr. Hollings; Mr. Mattingly; Mr. Hayakawa; Mr. Glenn; Mr. Goldwater; Mr. D'Amato; Mr. Burdick; Mr. Pell; Mr. Kasten; Mrs. Kassebaum; Mr. Packwood; Mr. Armstrong; Mr. Heinz; Mr. Hatfield; Mr. Johnston; Mr. East; Mr. Murkowski; Mr. Melcher; Mr. Stafford; Mr. Kennedy; Mr. Mitchell; Mr. Humphrey; Mr. Zorinsky; Mr. Gorton; Mr. DeConcini; Mr. Sarbanes; Mr. Riegle; Mr. Quayle; Mr. Denton; Mr. Long, R.; Mr. Warner; Mr. Bentsen; and Mr. Randolph.

Passed Senate with an amendment on December 15, 1981.

S. 1192, Union Station Completion Act of 1981

Amends the National Visitor Center Facilities Act of 1968 to provide for the completion of Union Station, Washington, D.C., as, primarily, a transportation center.

Sponsored by Mr. Packwood, was reported by the Senate Committee on Environment and Public Works.

Passed Senate with amendments by Voice Vote, November 23, 1981.

S. 1209, amends the John F. Kennedy Center Act to authorize appropriations for fiscal year 1982 for maintenance, janitorial, and security services at the John F. Kennedy Center for the Performing Arts

Sponsored by Mr. Stafford.

Signed by the President on November 3, 1981 and became Public Law No. 97-73.

S. Con. Res. 43, expresses the sense of the Congress that certain named individuals should not be deported

Sponsored by Mr. Thurmond.

Agreed to in Senate with an amendment by Voice Vote, November 9, 1981.

S. Con. Res. 54, provides for the printing of 3,000 copies of the General Explanation of the Economic Recovery Tax Act of 1981

Sponsored by Mr. Dole.

Passed Senate by Voice Vote, December 16, 1981.

H.R. 618, provides for the transfer of certain interests in public lands to the City of Angels, California

Reported by the Senate Committee on Energy and Natural Resources.

Measure signed in Senate on September 24, 1981 and signed by the President on October 6, 1981 and became Public Law No. 97-55.

H.R. 4048, grants the consent of the Congress to the agreement between the States of Kansas and Missouri establishing their mutual boundary in the vicinity of the French Bottoms near St. Joseph, Missouri, and Elwood, Kansas

Measure signed in Senate on October 6, 1981 and signed by the President on October 16, 1981 and became Public Law No. 97-64.

H.R. 4327, Immigration and Nationality Act Amendments of 1981

Amends the Immigration and Nationality Act regarding: (1) entry for nonacademic study; (2) the status of children; (3) deportation; (4) foreign medical personnel; (5) re-entry permits; (6) reclassification and status adjustment; (7) resident alien reporting requirements; (8) naturalization procedures; (9) automatic citizenship of adopted children; and (10) naturalization court fees.

Passed Senate with an amendment on December 16, 1981.

TERRITORIES

H.J. Res. 238, expresses the approval of the Congress for a Constitution for the U.S. Virgin Islands

Reported by the Senate Committee on Energy and Natural Resources.

Measure signed in Senate on June 29, 1981 and signed by the President on July 9, 1981 and became Public Law No. 97-21.

SENATE BILLS POST NOVEMBER 29

S. 657, designates the Department of Commerce Building in the District of Columbia as the Herbert Clark Hoover Department of Commerce Building

Sponsored by Mr. Hatfield, was reported by the Senate Committee on Environment and Public Works, and cosponsored by Mr. Jepsen, Mr. Grassley, Mr. Packwood, Mr. Cranston, Mr. Hayakawa, Mr. Moynihan, and Mr. D'Amato.

Passed Senate without amendment by Voice Vote, December 4, 1981.

S. 1808, establishes the position of Under Secretary of Commerce for Economic Affairs in the Department of Commerce. Declares that the Under Secretary shall be appointed by the President with the Senate's approval

Eliminates one of the positions of Assistant Secretary of Commerce.

Sponsored by Mr. Packwood, was reported by the Senate Committee on Commerce, Science, and Transportation, and cosponsored by Mr. Cannon, Mr. Gorton, Mr. Pressler, Mr. Kasten, Mr. Inouye, Mr. Hatfield, and Mr. Riegle.

Passed Senate with an amendment on December 15, 1981.

S. Res. 248, commends the firefighters who fought the recent fire in Lynn, Massachusetts

Sponsored by Mr. Kennedy, and cosponsored by Mr. Tsongas.

Agreed to in Senate without amendment and with a preamble by Voice Vote, November 30, 1981.

HOUSE BILLS REPORTED AND/OR PASSED AFTER NOV. 30, 1981

H.R. 1465, State and Local Government Cost Estimate Act of 1981

Passed Senate without amendment by Voice Vote, December 16, 1981.

H. Con. Res. 231, authorizes the erection of certain structures at the west front of the Capitol in connection with a rally to be held on January 15, 1982, in commemoration of the birth of Dr. Martin Luther King, Jr.

Passed Senate by Voice Vote, December 16, 1981.

GOVERNMENT EMPLOYEES

S. 1551, amends title 5, United States Code, to extend the authority of Federal agencies to enter into service agreements providing comparability allowances for Government physicians

Sponsored by Mr. Mathias, was reported by the Senate Committee on Governmental Affairs, and cosponsored by Mr. Pryor.

Passed Senate without amendment by Voice Vote, November 9, 1981.

HEALTH

S. 823, provides for the payment of losses incurred as a result of the ban on the use of the chemical Tris in apparel, in fabric, yarn, or fiber, and for other purposes

Grants the Court of Claims jurisdiction over claims against the United States for losses sustained by producers, processors, manufacturers, distributors, or other persons resulting from the ban on children's sleepwear containing Tris phosphate.

Enumerates factors to be considered by the court in determining the validity of claims. States that the amount of losses shall not include lost profits, distress sale proceeds, attorney fees, or interest on losses. Sets forth the measure of losses for the types of claimants.

Prescribes the respective measures of losses for producers, converters, manufacturers, distributors, and retailers of Tris-treated sleepwear or the fabric, yarn, or fiber. Prohibits class action claims. Directs the subrogation of the United States to successful claimants' rights to recover losses.

Prohibits any payments under this Act until such time as the claimant produces proof of the proper disposal of such goods.

Sponsored by Mr. Thurmond, was reported by the Senate Committee on the Judiciary, and cosponsored by Mr. Kennedy, Mr. Byrd of West Virginia, Mr. Hollings, Mr. Warner, Mr. Helms, Mr. Heflin, Mr. Denton, and Mr. East.

Passed Senate with an amendment by Voice Vote, June 18, 1981.

S. 1278, Saccharin Study and Labeling Act Amendments of 1981

Amends the Saccharin Study and Labeling Act to extend until 24 months after the date of enactment of this Act, the period during which the Secretary of Health and Human Services may not take certain actions to restrict the continued use of saccharin or of any food, drug, or cosmetic containing saccharin.

Sponsored by Mr. Hatch, was reported by the Senate Committee on Labor and Human Resources, and cosponsored by Mr. Kennedy, Mr. Hayakawa, and Mr. Chiles.

Signed by the President on August 14, 1981 and became Public Law No. 97-42.

HOUSING

S. 1197, Housing and Community Development Amendments of 1981 Multifamily Mortgage Foreclosure Act of 1981

Title I: Community and Economic Development.—Amends the Housing and Community Development Act of 1974 to authorize combined appropriations for block grants for community development activities and urban development action grants for fiscal years 1982 and 1983.

Eliminates application requirements for block grants to metropolitan cities and urban counties. Directs any such city or county (entitlement community) and any State or local government seeking a grant to submit to the Secretary of Housing and Urban Development: (1) a final statement or community development objectives and the projected use of funds; and (2) certifications that the grant will be administered in accordance with the Civil Rights Acts of 1964 and 1968, and that the projected use of funds gives priority to activities to benefit low and moderate income families or to prevent blight. Directs grantees to: (1) furnish information to the public concerning the amount of funds available for proposed community development and housing activities; (2) publish proposed grant statements for public comment; (3) hold public hearings on community development and housing needs; and (4) make the final statement available to the public.

Permits grants to be made to an entitlement community only if such community certifies that it is following a current housing assistance plan approved by the Secretary.

Requires grantees (entitlement communities and states) to submit performance reports. Directs the Secretary to review the performance of grantees annually to determine: (1) whether each entitlement community has carried out its activities, housing assistance plan, and certifications in a timely manner; and (2) whether each State grantee has distributed funds to local governments in a timely manner and conducted appropriate reviews of the performance of such local governments. Authorized the Secretary to adjust, reduce, or withdraw grants on the basis of such reviews.

Directs State grantees to perform actions of the Secretary concerning the release of funds to units of local government to carry out the purposes of the National Environmental Policy Act of 1974.

Provides grantees authority to receive grant payments in one lump sum to establish a revolving fund in a private institution to finance rehabilitation activities.

Eliminates certain restrictions on the use of block grant funds for the provision of public services not provided by a local government within the last 12 months. Authorizes the use of such funds for the provision of assistance to private, for-profit entities to carry out an economic development project. Limits to ten percent the amount of any grant which may be used for public service activities. Permits the Secretary to waive such limitation.

Revises the formula for the allocation of funds appropriated for community development block grants. Allocates 70 percent of such funds to entitlement communities and 30 percent of such funds to States for nonentitlement areas. Requires that funds which are allocated but not received by entitlement communities of a State in a fiscal year be reallocated among entitlement communities of the same State the next fiscal year according to the fund allocation formula in effect for such year.

Requires that the funds allocated to States be distributed to nonentitlement areas: (1) by the States according to its final statement projecting the use of such funds; or (2) by the Secretary if the State elects not to distribute such funds, if the State's performance evaluation warrants such action, or if the State governor fails to certify that the State: (a) plans for community development activites; (b) provides technical assistance to local governments for such activities, (c) provides State funds for such activities equal to ten percent of the Federal funds allocated; and (d) consults with local officials concerning such distributions.

Reduces the total amount of appropriations which may be set aside for the Secretary's special discretionary fund for fiscal years 1982 and 1983. Eliminates uses of the fund for making grants for: (1) areawide community development programs; (2) disaster assistance; and (3) correcting inequities resulting from the block grant allocation formula.

Prohibits age discrimination under any program or activity funded under the Housing and Community Development Act of 1974.

Reduces the amount of appropriations authorized for uban development action grants for fiscal years 1982 and 1983. Modifies the contents of grant applications to eliminate requirements for: (1) documentation of results in providing housing for persons of low and moderate income and in providing housing and employment for minorities; (2) an urban development action plan consistent with the community development program, the housing assistance plan, and the overall economic development plan of the area; and (3) preparation of a citizen participation plan and publication of information on fund availability and eligible activities. Revises grant selection criteria to include: (1) the extent to which the grant will stimulate economic recovery by leveraging private investments; (2) the number of jobs to be created; and (3) the extent to which State or local government funding has been committed.

Eliminates a requirement that the Secretary allocate such grants equally among programs to restore deteriorated neighborhoods, to reclaim real property for industrial purposes, and to renew commercial employment centers. Directs the Secretary to assure that the amount of any grant is the least necessary to make the project feasible.

Permits rehabilitation loans to be made only for urban homesteading programs or multifamily properties after October 1, 1981. Terminates authority for such loans on October 1, 1983.

Authorizes appropriations for fiscal year 1983 to carry out the urban homesteading program.

Repeals the Neighborhood Self-Help Development Act of 1978. Amends the Housing Act of 1954 to repeal provisions concerning comprehensive planning grants.

Directs the Secretary to report to Congress on steps to be taken to : (1) target block grant funds on the cities' most urgent revitalization needs; (2) develop income eligibility requirements for recipients of block grant supported rehabilitation; and (3) limit rehabilitation work to essential work needed to restore decent, safe, and sanitary or energy-efficient conditions.

Title II: Housing Assistance Programs.—Increases the Secretary's annual contributions contract authority for low-income housing projects for fiscal years 1982 and 1983 and the corresponding budget authority. Requires the Secretary to allocate a specific portion of the additional contract authority for fiscal years 1982 and 1983 for public housing modernization. Restricts the allocation of the remaining contract authority between existing and newly-constructed or substantially rehabilitated units. Prohibits the Secretary from reserving more than 30 percent of the total annual budget authority for the last quarter of a fiscal year or more than 15 percent for any month of the last quarter.

Authorizes appropriations for fiscal years 1982 and 1983 for operating subsidies for public housing projects.

Authorizes the Secretary to retain up to ten percent of the contract authority provided for housing assistance in a fiscal year to be available for allocation to communities for: (1) unforeseeable housing needs, such as emergency assistance following natural disasters; (2) assistance for the handicapped, minority enterprise, and housing in new communities; (3) providing assisted housing as a result of the settlement of litigation; (4) research projects; and (5) lower-income housing needs.

Prohibits the Secretary from withholding new construction authority from allocation for discretionary use in a fiscal year.

Authorizes appropriations for operating assistance for troubled multi-family housing projects for fiscal years 1982 and 1983. Extends through fiscal year 1983 the Secretary's authority to use amounts in the rental housing assistance fund for such projects.

Increases the mortgage purchase authority of the Government National Mortgage Association for fiscal year 1982. Limits the amount available to purchase mortgages of projects containing no Federally-assisted units.

Increases the amount the Secretary may borrow from the U.S. Treasury to finance the loan program for housing for the elderly or handicapped for fiscal years 1982 and 1983.

Amends the United States Housing Act of 1937 and the National Housing Act to establish the rent for housing units assisted under such Acts at the highest of: (1) 30 percent of the family's monthly adjusted income; (2) 10 percent of the family's monthly income; or (3) the portion of any welfare assistance designated for the family's housing costs.

Redefines the term "lower income families" to exclude families whose incomes exceed 50 percent of the median area income. Includes as income the value of any asset a family member disposed of within the preceding 24 months to qualify for housing assistance.

Requires the Secretary to review annually (currently biennially) the incomes of families living in public housing projects and rental housing projects designed for lower-income families.

Establishes the amount of monthly assistance payments to owners who provide housing for lower-income families as the difference between the maximum rent the owners may charge under terms of the assistance contract and the rent established for tenants of assisted units.

Amends the Housing and Urban Development Act of 1965 to establish the rent supplement for units provided for lower-income tenants at the lesser of: (1) 70 percent of the fair market rent; or (2) the amount by which the fair market rent exceeds 30 percent (currently 25 percent) of the tenant's adjusted income. Provides for the delayed application of such revised supplement.

Amends the United States Housing Act of 1937 to require the Secretary to: (1) assure that newly constructed housing to receive lower-income housing assistance is modest in design; (2) limit increases in contract rents for such housing units to the operating cost increases incurred by owners of comparable projects in the area; (3) give cost considerations a 33⅓ percent weighted average when reviewing proposals for housing assistance; and (4) give priority to entering contributions contracts with housing projects located on specific tracts of land provided by State or local governments, if affording such priority will be cost-effective.

Prohibits the Secretary from: (1) providing assistance payments for unoccupied units for more than 30 days; (2) entering into a contributions contract for a newly constructed project if the sizes of the project units exceed the minimum property standards by more than ten percent of the local standards; or (3) denying assistance to projects because project units do not contain bathroom or kitchen facilities.

Directs the Secretary to assure that at least 25 percent of the newly constructed or substantially rehabilitated units for the elderly or handicapped to which Federal housing assistance is provided after October 1, 1981, are efficiencies.

Requires the Secretary to rescind a regulation requiring owners of federally-assisted housing projects to attempt to select tenant families so that the average family income is at least 40 percent of the median area income. Permits providing lower-income housing assistance to promote mixed income housing only when such assistance aids lower income families in obtaining a decent place to live.

Prohibits the owner of an assisted project from renting any project unit to a tenant who is not eligibile for assistance unless the satisfactory number of units are occupied by eligibile tenants.

Permits the Secretary to give preference to applications for assistance for a portion of the units in a project only if that project does not receive other forms of Federal assistance.

Eliminates a requirement that public housing agencies select tenants with a broad range of incomes.

Prohibits the Secretary from entering into a contract to provide lower-income housing assistance to a project in an area imposing rent controls. Requires the owner of a project receiving such assistance to notify tenants at least six months before increasing the rent after expiration of the assistance contract.

Directs the Secretary to: (1) determine the number of assisted housing projects owned by developers with five-year contributions contracts who will not renew their contracts; (2) notify the tenants of such projects of possible rent increases upon the expiration of such contracts; and (3) report to Congress on ways of recapturing the Government's investment in such projects.

Directs the Secretary to assure that no State or local official profits by participating in a Federally-assisted housing program.

Permits public housing agencies to retain the greater of 100 percent of their legal expenses or 50 percent of the amount collected out of judgments obtained in recovering lower-income housing assistance wrongfully paid because of fraud or abuse.

Eliminates provisions authorizing only the public housing agency to evict a tenant in an assisted unit. Declares that the tenant's rights shall be determined by the lease and applicable State and local law.

Authorizes the Secretary to utilize additional budget authority provided for contributions contracts under the United States Housing Act of 1937 for rent supplements under the Housing and Urban Development Act of 1965.

Amends the Housing and Community Development Amendments of 1978 to direct the Secretary to dispose of multifamily housing projects owned by the Secretary to tenant-owned cooperatives.

Amends the National Housing Act to eliminate the requirement that the Secretary recapture assistance provided to a homeowner when the homeowner fails to make mortgage payments for 90 days or more.

Prohibits the Secretary from providing Federal housing assistance for the benefit of any illegal alien.

Directs the Secretary to develop and implement a revised fee schedule for development managers of lower income housing projects.

Directs the Secretary to: (1) review the administration of the subsidy program for the operation of low-income housing projects; (2) report to Congress recommendations for new subsidy formulas containing incentives for good management; and (3) report to Congress on the feasibility of implementing a computer system to be utilized by public housing agencies to comply with reporting requirements.

Amends the Housing and Community Development Amendments of 1978 to require the Secretary, before approving or disapproving rent increases for certain federally-assisted housing projects, to consider whether the mortgagor could control increases in utility costs by securing more favorable utility rates or by taking cost-effective actions to reduce energy consumption. Authorizes the Secretary: (1) to adjust the proposed rent increase upon determining the mortgagor could exercise such control; and (2) to provide financial assistance to a mortgagor to upgrade the project to satisfy energy efficiency standards prescribed by the Secretary.

Requires the Secretary to permit the Kansas Department of Economic Development to participate as a public housing agency for purposes of programs carried out under the United States Housing Act of 1937.

Title III: Program Amendments and Extensions.—Amends the National Housing Act to extend the Secretary's authority to insure loans for mortgages and home improvement. Extends the Secretary's authority to establish the maximum interest rates for certain mortgage insurance programs.

Amends the Housing and Urban Development Act of 1970 to authorize appropriations for research for the Department of Housing and Urban Development in fiscal years 1982 and 1983.

Amends the National Housing Act to increase the amount of funds authorized to be appropriated to cover losses sustained by the General Insurance Fund. Increases the maximum amounts of property improvement loans eligible for Federal insurance with respect to existing single family structures or manufactured homes, apartment buildings or dwellings for two or more families, and historic structures. Provides for higher loans where financing of a solar energy system is involved. Increases maximum loan amounts for financing the purchase of single and multi-module manufactured homes and lots for such homes. Permits the Secretary to increase such amounts by a specified sum when necessary to meet higher area costs. Eliminates the distinction between an undeveloped and a developed lot. Increases the maximum loan terms for: (1) property improvement loans where installation of a solar energy system is involved; (2) loans to purchase single-module manufactured homes; and (3) historic preservation loans. Increases the maximum loan amount which the Secretary may insure in connection with a manufactured home park.

Amends the Housing and Urban Development Act of 1968 to authorize the Secretary to provide low and moderate income tenants with default and delinquency counseling.

Amends the National Flood Insurance Act of 1968 to authorize appropriations for various insurance studies during fiscal years 1982 and 1983, and to repeal erosion insurance coverage for the collapse or subsidence of land along a lake caused by waves or currents exceeding anticipated cyclical levels.

Amends the National Housing Act to extend the Secretary's authority to provide riot insurance and to repeal erosion insurance coverage for the collapse or subsidence of land along a lake caused by waves or currents exceeding anticipated cyclical levels.

Amends the National Housing Act to extend the Secretary's authority to provide riot insurance and to repeal the Secretary's authority to provide crime insurance.

Amends the Housing and Community Development Amendments of 1978 to authorize appropriations for the Neighborhood Reinvestment Corporation for fiscal years 1982 and 1983.

Amends the Housing and Community Development Act of 1975 to direct the President to appoint two of the members of the Board of Directors of the National Institute of Building Sciences selected each year, and to extend the authorization for the Institute through fiscal year 1987.

Authorizes the Secretary to develop a model manufactured housing zoning code for use by local authorities, and demonstration program utilizing lower cost building technology for projects located on vacant inner-city land.

Directs the Secretary to publish a complete edition of the basic laws and authorities relating to housing and community development reflecting changes caused by this Act, and to publish revised editions as necessary.

Amends the National Consumer Cooperative Bank Act to terminate the authority of the Bank to make new commitments for loans or guarantees and to issue obligations. Directs the Bank to deposit amounts received as loan repayments into the U.S. Treasury. Provides that any housing cooperative existing on March 21, 1980, is eligible for a bank loan regardless of voting control requirements.

Prohibits the Secretary from obligating or expanding $5,552,000,000 of budget authority provided for fiscal year 1981.

Amends the National Housing Act to allow the Secretary to approve an increase in a mortgage covering a new or rehabilitated hospital which is eligible to be insured under such Act, provided that the application for such increase is filed within two years after enactment of this Act.

Title IV: Multifamily Mortgage Foreclosure.—Multifamily Mortgage Foreclosure Act of 1981—Authorizes the Secretary to foreclose multifamily mortgages held by the Secretary encumbering real estate located in any State.

Sets forth procedures for the designation of a foreclosure commissioner or commissioners by the Secretary. Designates the Secretary as a guarantor of payment of any judgment against such commissioners.

Permits a foreclosure by the Secretary to commence upon the breach of a covenant or condition in the mortgage agreement for which foreclosure is authorized under such mortgage.

Specifies procedures for (1) notice of default and foreclosure sale; (2) service of such notice; (3) presale reinstatement and cancellation of foreclosure; (4) conduct of a foreclosure sale; (5) disposition of foreclosure costs and sale proceeds; (6) transfer of title and possession; and (7) recording the foreclosure and sale.

Authorizes the Secretary to require, as a condition and term of sale, that the purchaser at a foreclosure sale under this Act agree to the continued operation of the security property in accordance with the appropriate loan program.

Title V: Rural Housing.—Amends the Housing Act of 1949 to authorize appropriations for fiscal year 1982 to the Secretary of Agriculture: (1) to insure and guarantee loans for rural housing, with certain restrictions; (2) to make loans and grants for improvements of rural housing; (3) to provide financial assistance for the provision of low-rent housing for domestic farm labor; (4) for the payment of expenditures respecting construction defects in assisted dwelling units; (5) to provide rental assistance to low and moderate income families in rural areas; and (6) for programs of mutual and self-help housing in rural areas and the Self-Help Housing Land Development Fund.

Repeals the current definition of "persons of low income" for purposes of such Act. Authorizes the Secretary of Agriculture to establish income definitions.

Removes the requirement that the Secretary of Agriculture provide interest credit subsidies on rural housing loans to persons of low and moderate income.

Directs the Secretary of Agriculture to report to Congress concerning: (1) financing for rural housing programs; (2) workable definitions of "low income" and recommendations for contribution requirements to conform Farmers Home Administration housing assistance programs to the Housing programs of the Department of Housing and Urban Development; (3) minimum levels for subsidies to assisted families; and (4) the Administration's efforts to minimize the costs of subsidized housing.

Sponsored by Mr. Garn.

The Senate agreed to the following amendments:

S. Up. Amdt. No. 130, to amend section 201 of the Housing and Community Development Amendments of 1978, sponsored by Mr. Dodd.

S. Up. Amdt. No. 131, to strike section 211 of the bill, sponsored by Mr. Armstrong.

S. Up. Amdt. No. 132, to reduce the section 516 authorization, sponsored by Mr. Schmitt.

S. Up. Amdt. No. 133, to reallocate unused entitlement funds, sponsored by Mr. Riegle joined by Mr. Dixon, Mr. Levin, Mr. Proxmire, and Mr. Percy.

S. Up. Amdt. No. 134, providing that the Secretary shall not be limited in his ability to approve a mortgage increase for any changes by the Secretary on any mortgage eligible for insurance for which an application for increase had been made within two years of enactment, sponsored by Mr. D'Amato.

S. Up. Amdt. No. 136, to recognize the Kansas Department of Economic Development as a public housing agency, sponsored by Mr. Dole.

S. Up. Amdt. No. 137, providing that the Secretary is authorized to retain a portion of the contract authority available during any fiscal year under the authorities cited in paragraph (1) of subsection (a), not to exceed 10 per centum of the available contract authority on an aggregate basis, and that such contract authority shall be available for subsequent allocation to specific areas and communities, and may not be used for certain purposes, sponsored by Mr. Armstrong joined by Mr. Chafee.

Passed Senate with amendments by Yea-Nay Vote. 65–24. Record Vote No. 138, June 3, 1981.

INDIANS

S. 478, provides for the partitioning of certain restricted Indian land in Kansas

Sponsored by Mr. Dole, was reported by the Senate Select Committee on Indian Affairs.

Passed Senate with amendments by Voice Vote, May 21, 1981.

S. 547, directs the Attorney General to approve any conveyance to the United States of a defeasible or indefeasible interest in specified land acquired for the Confederated Tribes of Siletz Indians of Oregon. Permits the Secretary of the Interior or such Confederated Tribes to erect improvements on such land after conveyance to the United States

Sponsored by Mr. Hatfield, was reported by the Senate Select Committee on Indian Affairs.

Signed by the President on August 14, 1981 and became Public Law No. 97-38.

H.R. 4894, provides for the disbursement of certain trust funds of the Lac Courte Orielles Band of Lake Superior Chippewa Indians of Wisconsin

Passed Senate with an amendment on December 15, 1981.

S.J. Res. 136, validates the effectiveness of a plan for the use or distribution of funds appropriated to pay a judgment awarded to the San Carlos Tribe of Arizona

Passed Senate on December 15, 1981.

INTERNATIONAL

MAJOR

S. 786, African Development Bank Act

Title I: International Development Association.—Amends the international Development Association Act to authorize the payment of a specified sum, subject to obtaining the necessary appropriations, as the U.S. contribution to the sixth replenishment of the resources of the Association. Limits the amount of such sum which shall be available in fiscal years 1981 and 1982.

Title II: African Development Bank.—African Development Bank Act—Authorizes the President to accept membership for the United States in the African Development Bank. Provides for the appointment of a Bank Governor and an Alternate Governor. Makes U.S. participation in such Bank subject to the National Advisory Council on International Monetary and Financial Problems.

Prohibits unauthorized: (1) subscriptions to additonal shares in such Bank; (2) agreements increasing U.S. obligations or modifying the purpose of such Bank; or (3) financing for such Bank. Requires any Federal Reserve bank to act as the Bank's depository at the request of such Bank.

Exempts such Bank's obligations from specified limitations on underwriting investment securities and for purposes of the Securities Act of 1933 and the Securities Exchange Act of 1934. Requires such Bank to file reports as determined appropriate by the Securities and Exchange Commission. Authorizes the Commission to suspend the exemptions from the Securities laws.

Directs such Bank to carry out U.S., policies concerning human rights and the development of light capital technologies. Makes U.S. citizen representatives to such Bank eligible for civil service benefits.

Title III: International Bank for Reconstruction and Development and Asian Development Bank.—Amends the Bretton Woods Agreements Act and the Asian Development Bank Act to provide that any subscription to additional shares of such Banks shall only be effective to the extent as provided in advance in appropriation Acts (presently may be made only after the necessary amount has been appropriated).

Sponsored by Mr. Percy, was reported by the Senate Committee on Foreign Relations.

The Senate agreed to the following amendments:

S. UP. Amdt. No. 64, to reduce funding for the International Development Association by 25 percent, sponsored by Mr. DeConcini.

S. UP. Amdt. No. 65, provides that not more than $540,000,000 shall be available in fiscal year 1981, and that nor more than $850,000,000 shall be available in fiscal year 1982, sponsored by Mr. Percy joined by Mr. Pell.

Passed Senate with amendments by Yea-Nay Vote. 58-33. Record Vote No. 87, April 29, 1981.

S. 816, amends the Clayton Act to prohibit a foreign government from suing for damages for violations of United States antitrust laws unless the United States may recover damages for similar conduct under the laws of such foreign governments

Sponsored by Mr. Thurmond, was reported by the Senate Committee on the Judiciary, and cosponsored by Mr. DeConcini; Mr. Denton; Mr. Dodd; Mr. Dole; Mr. Domenici; Mr. East; Mr. Grassley; Mr. Hatch; Mr. Heflin; Mr. Helms; Mr. Inouye; Mr. Laxalt; Mr. Lugar; Mr. Mathias; Mr. Moynihan; Mr. Nunn; Mr. Simpson; Mr. Tsongas; Mr. Danforth; Mr. Specter; Mr. Melcher; Mr. D'Amato; Mr. Chiles; and Mr. Percy.

Passed Senate without amendment by Voice Vote, July 9, 1981.

S. 1116, authorizes appropriations for the international affairs functions of the Department of the Treasury for fiscal year 1982

Sponsored by Mr. Heinz, was reported by the Senate Committee on Banking, Housing, and Urban Affairs.

Passed Senate with amendments by Voice Vote, June 2, 1981.

S. 1193, Board for International Broadcasting Authorization Act, Fiscal Years 1982 and 1983 International Communication Agency Authorization Act, Fiscal years 1982 and 1983 Arms Control and Disarmament Agency Act, Fiscal Years 1982 and 1983 Department of State Authorization Act, Fiscal Years 1982 and 1983

Sponsored by Mr. Percy.

Passed Senate with amendments by Yea-Nay Vote. 88-4. Record Vote No. 158, June 18, 1981.

Senate agreed to request for conference, November 13, 1981.

S. 1195, Hunger and Global Security Multilateral Development Bank Act

Title I: International Bank for Reconstruction and Development and Asian Development Bank.—Amends the Bretton Woods Agreements Act to authorize the U.S. Governor of the International Bank for Reconstruction to: (1) vote to increase the authorized capital stock of the Bank; and (2) subscribe to a maximum of 73,010 shares of such stock. Authorizes appropriations to pay for the U.S. subscription to such stock. Authorizes the U.S. Governor of the Bank to subscribe to the callable portion of the U.S. share of increases in capital stock up to a specified maximum amount.

Title II: Inter-American Development Bank and Asian Development Bank.—Amends the Inter-American Development Bank Act to authorize the U.S. Governor of the Bank to contribute

$70,000,000 to the Fund for special operations. Authorizes appropriations for the increase in the U.S. subscription to the Bank's capital stock and for the U.S. contribution to the Fund for Special Operations.

Amends the Asian Development Bank Act to authorize the U.S. Governor of the Bank to contribute $66,750,000 to the Asian Development Fund. Authorizes appropriations for such contribution.

Title III: Hunger and Global Security.—Hunger and Global Security Mulitlateral Development Bank Act—Amends the Bretton Woods Agreements Act to direct the Secretary of the Treasury to consult with representatives of member countries of specified international development banks to establish guidelines which specify that annual lending by each such institution shall be designed to benefit needy people. Expresses the sense of Congress that at least 50 percent of the annual lending by each such institution should be designed to benefit needy people. Defines needy people as those who are classified as absolutely or relatively poor under the standards adopted by the International Bank for Reconstruction and Develpment and the International Development Association.

Directs the Secretary of the Treasury to report annually to Congress on the progress being made in aiding needy people and on the proportion of the lending by each such institution which benefits needy people.

Title IV: Effective Date and Availability of Funds.—Sets the effective dates of this Act.

Sponsored by Mr. Percy.

Passed Senate without amendment by Yea-Nay Vote. 65-27. Record Vote No. 156, June 17, 1981.

S. 1196, International Security and Development Cooperation Act of 1981

Title I: Military Sales and Related Programs.—Amends the Arms Export Control Act to set a trigger price for transfers of defense equipment, articles, and services for which the President would be required to submit a certification to Congress before consenting to such transfer. Prohibits the President from consenting to transfers of defense equipment, articles, or services whose value exceeds such trigger price until a specified time after the certification has been submitted to Congress. Sets the same trigger price for requiring certification by the President with respect to letters of offer to sell and applications for export licenses. Amends the International Security and Development Cooperation Act of 1980 to set the same trigger price for requiring a certification by the President with respect to leasing defense property.

Sponsored by Mr. Percy, was reported by the Senate Committee on Foreign Relations.

Passed Senate on October 22, 1981. To Conference on December 11, 1981.

Amended, roll call No. 330 (40-33).

Amends the Arms Export Control Act to make the President's consent to a transfer or sale of defense equipment, articles, and service to NATO, any NATO member, Japan, Australia, or New Zealand effective 15 days after submission of certification unless Congress adopts a concurrent resolution disapproving such transfer. Makes such consent effective immediately if an emergency exists. Provides for expedited consideration of such concurrent resolution.

Requires the President within 48 hours of the existence of, or a change in status of, certain hostilities or terrorist acts (currently after the outbreak of significant hostilites) involving a country in which U.S. personnel are performing certain defense services to report to Congress: (1) the country's identity; (2) a description of such hostilities or terrorist acts; and (3) the number of U.S. armed forces and civilians who may be endangered (currently the report must also include their location, the nature of their activities, and the likelihood of their becoming endangered).

Authorizes the President to reduce or waive charges for certain nonrecurring research and development costs involved in producing defense articles and equipment which would advance standardization of U.S. armed forces with the armed forces of Japan, Australia, or New Zealand or would advance foreign procurement in the United States.

Authorizes appropriations for the military sales credit and guarantee program for fiscal year 1982. Sets the ceiling for fiscal year 1982 on: (1) foreign military sales credits; and (2) foreign military sales loan guarantees. Releases borrowers of such credits from their liability to repay the U.S. government. Allots a specified amount of such credits and loan guarantees for Israel. Deletes the provision which allotted a specified amount for relocating Israeli forces from the Sinai. Obligates foreign military sales credit and guarantee funds for fiscal year 1982 to finance procurement of defense articles and services by Israel. Provides repayment terms for loans to specified countries under the foreign military sales loan guarantee program.

Repeals the provision which exempts from the export license requirement the sale of certain defense equipment to specified military allies.

Repeals the provision which requires timely reporting to the Secretary of State of contributions paid by any person in connection with sales of defense articles or services. Authorizes the President to restrict such contributions. Includes extraordinary expenses in charges for administrative expenses for foreign military sales.

Authorizes the Secretary of Defense to establish a Special Defense Acquisition Fund and to acquire with such Fund defense articles and services in anticipation of their transfer to eligible foreign countries and international organizations. Requires acquisitions of short supply items to be emphasized when compatible with security assistance requirements. Sets forth the sources of the Fund's moneys. Limits the size of the Fund. Directs the President to estimate annually for Congress the likely procurements to be made through the Fund. Prohibits the transfer of any defense articles or services acquired by such Fund to any foreign country or international organization unless authorized by such Act or the Foreign Assistance Act of 1961. Authorizes the temporary use of such defense articles and services by U.S. armed forces prior to their transfer. Authorizes the use of such Fund to pay for the costs related to the acquisition and transfer of such defense articles and services.

Authorizes the President to lease in stock defense articles to an eligible foreign country or international organization if: (1) the President determines there are compelling foreign policy and national security reasons for leasing rather than selling such articles; (2) the President determines the articles are not presently needed for public use; and (3) the country or international organizaition has agreed to pay all costs incurred in leasing such articles. Limits each lease agreement to five-years duration. Requires each lease to provide that the President may terminate the lease and require immediate return of the leased articles. Authorizes loans for leases of such defense articles.

Directs the President to submit a notification to Congress before entering into or renewing such a lease or loan. Authorizes the waiver of such notification if the President reports to Congress that an emergency exists. Prohibits any lease or loan of defense equipment of articles valued at or above specified amounts if Congress objects to the proposed lease on loan by adopting a concurrent resolution. Exempts such loans or leases to NATO, any NATO member, Japan, Australia, or New Zealand from such legislative review. Applies laws restricting the countries or organizations to which such sales may be made to leases of defense articles under this Act.

Makes the Secretary of State responsible for the supervision and general direction of such leases. Requires such leases to meet the same prerequisites for consent by the President as sales of such articles or services.

Amends the Foreign Assistance Act of 1961 to require loan agreements concerning defense articles to provide for restoration or replacement of loaned defense articles which are damaged, lost, or destroyed.

Amends the International Security and Development Cooperation Act of 1980 to repeal the provision relating to leasing defense property.

Amends the Arms Export Control Act to eliminate the requirement that the President include in the quarterly report to Congress on military exports a listing of all property valued at $1,000,000 or more which was leased to a foreign government for more than six months.

Amends the Foreign Assistance Act of 1961 to authorize appropriations for fiscal year 1982 for military assistance.

Increases the aggregate value of defense material which the President can order for military assistance in an unforeseen emergency.

Sets the limitation on additions to stockpiles of defense articles for foreign countries for fiscal year 1982.

Eliminates the requirement of specific Congressional authorization for the operation of a military assistance advisory group, military mission, or organization of U.S. military personnel in a foreign country. Authorizes the President to assign U.S. military personnel to foreign countries to perform necessary management and other functions related to international security assistance programs. Limits the number of such personnel assigned in each foreign country to the number justified to Congress unless specified Congressional committees are notified.

Retains the provision making the Chief of the U.S. Diplomatic Mission in each foreign country responsible for supervising such military personnel.

Exempts from numerical limitations military personnel performing certain services under the Arms Export Control Act. Expresses the sense of Congress that advising and training assistance in countries to which such personnel are assigned shall be provided by other personnel who are detailed for limited periods to perform specific tasks.

Specifies the funds which will be charged with the costs of overseas management of international security assistance programs.

Retains the provision which restricts encouragement by U.S. diplomatic and military personnel of military equipment purchases by foreign countries.

Authorizes appropriations for fiscal year 1982 for international military education and training and for peacekeeping operations.

Title II: Economic Support Fund and Other Programs.—Authorizes appropriations for fiscal year 1982 for the Economic Support Fund. Allots a minimum amount of the authorized economic support funds for such year for Israel and Egypt on a grant basis. Authorizes making such funds available to Israel as a cash transfer. Allots a specified amount of fiscal year 1982 economic support funds for: (1) Turkey; (2) Cyprus; (3) emergency use to promote economic or political stability; (4) Tunisia; and (5) Pakistan. Prohibits making any such funds available to Syria. Repeals the provision relating to Central American economic support.

Title III: Development Assistance.—Amends the Foreign Assistance Act of 1961 to authorize appropriations for fiscal year 1982 for: (1) agricultural development programs; (2) participation in the International Fund for Agricultural Development; (3) voluntary population planning; (4) health programs; (5) education and human resources development, earmarking a specified amount for scholarships for disadvantaged South African students; (6) development of indigenous energy resources; (7) scientific and technological cooperation programs; and (8) promotion of human rights.

Expresses the sense of the Congress that the President, in order to further the purposes of participation in the International Fund for Agricultural Development, should: (1) instruct U.S. representatives to seek to limit the number of the Fund's professional staff; (2) instruct U.S. representatives to seek equity among contributors to the Fund; (3) encourage development of procedures to expedite Fund disbursements for projects; and (4) seek to assure that the U.S. contribution is disbursed in a manner related to the Fund's actual rate of disbursal.

Prohibits using population planning and health program funds to pay for research related to use of abortions or involuntary sterilization as a means of family planning. Earmarks a specified amount of such funds for private voluntary organizations for carrying out public health activities.

Authorizes the President to furnish aid for: (1) disaster preparedness programs; and (2) scientific and technological cooperation programs.

Sets a minimum amount of international development appropriations for fiscal year 1982 to be spent on international programs which support the original goals of the U.N. Decade for Women.

Directs the President to consider Congressional concerns about the loss of tropical forests in developing countries and the recommendations of the U.S. Interagency Task Force on Tropical Forests: (1) in carrying out programs with respect to developing countries; and (2) in seeking opportunities to coordinate development and investment activities which affect such forests.

Expresses the sense of the Congress that the President should instruct U.S. representatives to international organizations to urge that: (1) higher priority be given to the problems of tropical forest alteration and loss; and (2) there be improved cooperation among these organizations with respect to tropical forest activities.

Authorizes appropriations for fiscal year 1982 for implementation of the Sahel development program.

Sets a minimum amount of funds authorized for specified international development programs which must be made available to private voluntary organizations.

Authorizes U.S. participation in the International Food Policy Research Institute.

Authorizes appropriations for fiscal year 1982: (1) international organizations and programs and (2) trade and development programs. Extends authorization for worldwide housing guarantees until September 30, 1983. Establishes a revolving fund in the U.S. Treasury as the depository fund for all income derived from such guarantees.

Title IV: Other Assistance Programs.—Authorizes appropriations for fiscal year 1982 for: (1) American schools and hospitals abroad; (2) international disaster assistance; and (3) international narcotics control.

Deletes the prohibition against the use of international narcotics control funds to pay for herbicide spraying to eradicate marihuana. Directs the Secretary of State to inform the Secretary of Health and Human Services if herbicide is going to be used on marihuana. Directs the Secretary of Health and Human Services to monitor the impact on marihuana users of such herbicide spraying and to report to Congress if such users are exposed to harmful amounts of herbicide. Earmarks a specified amount of such funds to develop a substance which warns users that marihuana has been sprayed with paraguat. Requires such a substance, if developed, to be used with the herbicide paraguat.

Title V: Overseas Private Investment Corporation.—Increases the maximum per capita income which qualifies a less developed country for preferential consideration by the Oversess Private Investment Corporation (OPIC). Increases the minimum per capita income level in a country at which OPIC must restrict its activities. Directs OPIC to support developmental projects having trade benefits for the United States.

Directs OPIC to refuse to insure, reinsure, or finance any investment subject to conditions which would tend to reduce significantly the positive trade benefits to the United States.

Increases the number of members of OPIC's Board of Directors. Authorizes OPIC to insure approved projects against the risks of civil strife. Limits OPIC's share of insurance liability for multilateral investments to the proportionate participation of eligible investors in the projects. Directs OPIC to report to the appropriate Congressional committees before issuing civil strife insurance for the first time and before issuing insurance in which the risk to be insured is significantly enlarged.

Limits the amount of investment insurance and guaranties issued to a single investor to a certain percentage of the maximum contingent liability of each insurance and guaranties which OPIC is permitted to have outstanding.

Deletes the prohibition against OPIC entering certain direct insurance underwriting agreements with other insurance companies. Deletes the limitation on the amount of OPIC's annual reinsurance liabilities.

Extends the authority of OPIC to issue investment insurance and guaranties until September, 1985. Authorizes loans from the Direct Investment Fund to the extent amounts are appropriated.

Authorizes computation of a claim of loss under equity investment insurance on the basis of net book value attributable to such equity investment on the date of loss. Abolishes the provision which permits a State to prohibit OPIC from requiring an investor to be insured for ten percent of an investment otherwise insured by OPIC.

Authorizes OPIC to collect, or compromise any obligations assigned to or held by it. Authorizes the Inspector General (formerly the Auditor-General) of the Agency for International Development to review, investigate, and inspect OPIC's activities.

Abolishes: (1) OPIC's Advisory Council; (2) certain limitations on OPIC's financial support for new or expanded copper exploration or extraction projects; and (3) the prohibitions on OPIC financial support for projects involving production or processing of palm oil, sugar, or citrus crops for export.

Title VI: Peace Corps—Peace Corps Autonomy Act.—Makes the Peace Corps an independent agency within the Executive branch.

Transfers to the Director of the Peace Corps all functions relating to the Peace Corps which were vested in the Director of the ACTION agency. Provides for the transfer of personnel, contracts, property records, and funds used primarily by the Peace Corps to the Peace Corps. Prohibits the transfer of personnel from causing a loss of employee benefits for such personnel for a specified period of time. Requires transferred personnel to be assigned to functions and units related to their assignments before enactment. Requires collective bargaining agreements covering Peace Corps personnel or transferred personnel to continue to be recognized by the Peace Corps.

Requires each person employed primarily in connection with any function relating to the Peace Corps who does not hold a Foreign Service appointment to be appointed a member of the Foreign Service, except that: (1) for three years no person currently holding a career or career-conditional appointment shall be appointed a member of the Foreign Service without such person's consent; and (2) each transferred person who held an appointment below a specified grade level shall be appointed a member of the Foreign Service for the duration of operations under the Peace Corps Act (thus, not subject to such Act's five-year appointment limitation).

Authorizes the President to delegate the authority to carry out such Act only to the Director of the Peace Corps. Amends the Peace Corps Act to delete certain provisions relating to readjustment allowance payments to Peace Corps volunteers.

Requires the Director of the Office of Management and Budget and the Comptroller General to submit reports to the appropriate Congressional committees on the implementation of this Act.

Authorizes appropriations for the Peace Corps for fiscal year 1982.

Requires the Peace Corps to give particular attention to programs which tend to integrate disabled people into developing countries' national economies.

Removes present malpractice protection for Peace Corps volunteers. Applies the malpractice protection currently covering State Department personnel to Peace Corps volunteers and personnel.

Removes the applicability of the Mutual Defense Control Act of 1951 to the functions of the Peace Corps.

Title VII: Miscellaneous Provisions.—Amends the Foreign Assistance Act of 1961 to authorize appropriations for operating expenses of international development programs for fiscal year 1982. Makes permanent the exemption from limitations on U.S. assistance of construction of production enterprises in Egypt. Authorizes compensation rates for non-Foreign Service personnel assigned outside the United States. Entitles U.S. special mission deputies to compensation.

Sets forth the material which must be contained in a notification to Congress of changes in foreign assistance programs.

Transfers the functions of the Director of the U.S. International Development Cooperation Agency (IDCA) to specified agencies and officials. Transfers the personnel, property, and funds of IDCA to AID. Provides for the continuation of suits commenced before such transfer.

Amends the International Security and Development Cooperation Act of 1980 to transfer from the Director of IDCA to the Administrator of the agency primarily responsible for international development the responsibility to encourage private and voluntary organizations to deal with world hunger problems.

Authorizes the obligation of funds for military and economic assistance under specified Federal laws for El Salvador only if prior to each such grant of assistance the President certifies to the Speaker of the House of Representatives and the Chairman of the Senate Foreign Relations Committee that El Salvador's Government: (1) is making progress in controlling violations of internationally recognized human rights; (2) is moving to achieve control over its armed forces; (3) is making progress in implementing essential economic and political reforms; (4) is committed to holding free elections; and (5) has demonstrated its willingness to negotiate a poltical resolution of the conflict.

Directs the President, if such certification is not made or if such certification is made but does not take effect, to: (1) suspend specified military assistance and military education and training for El Salvador; (2) withhold approvals for use of certain credits and guarantees for El Salvador; (3) suspend deliveries of certain defense articles, defense services, and design and construction services; and (4) withdraw from El Salvador all U.S. armed forces performing specified functions.

Prohibits the President from making such certification until the President certifies that El Salvador's Government has made good faith efforts to investigate the murders of six U.S. citizens in El Salvador and to bring those responsible for the murders to justice.

Repeals the prohibition against the granting of certain military and economic assistance to or for Argentina. Authorizes such aid if the President submits to Congress a report certifying that: (1) Argentina has made signficant progress in complying with internationally recognized principles of human rights; and (2) the provision of such assistance is in the U.S. national interest. Sets forth matters to be considered in determining whether significant progress is being made in complying with human rights principles.

Amends the International Security and Development Cooperation Act of 1980 to repeal the prohibition against aid to military or paramilitary operations in Angola. Requires the President to submit to the appropriate Congressional committees a report including specified information before furnishing assistance to such operations in Angola.

Amends the Arms Export Control Act to consolidate reports required under such Act within the President's annual estimate and justification for arms sales.

Amends the Foreign Assistance Act of 1961 to consolidate within the President's annual report to Congress on foreign assistance of various reports which are currently required.

Repeals specified provisions of the following Acts: (1) Foreign Assistance Act of 1961 (including prohibitions against foreign assistance to Communist dominated or controlled countries and against assistance to countries preparing for aggressive military efforts); (2) International Development Cooperation Act of 1980 (including restriction on aid to El Salvador); (3) International Development Cooperation Act of 1979; (4) Special International Security Assistance Act of 1979; (5) International Development and Food Assistance Acts of 1975, 1977, and 1978; (6) Foreign Assistance Acts of 1973 and 1974; (7) Arms Export Control Act; (8) International Security Assistance Acts of 1977, 1978, and 1979; (9) International Security Assistance and Arms Export Control Act of 1976; and (10) Foreign Military Sales Act Amendments.

Authorizes the President to waive for Pakistan the prohibition against aiding countries that receive or transfer nuclear enrichment materials. Directs the President to report to Congress on proposed aid to Pakistan. States that the President should not use a specified waiver permitting the provision of assistance to a country which transfers nuclear reprocessing materials if such country detonates a nuclear device.

Expresses the sense of the Congress that the United States should continue its efforts to: (1) end the strife in Lebanon and urge others to exert their influence to end Lebanon's turmoil; and (2) strengthen the authority and ability of the Lebanese Central Government.

The Senate agreed to the following amendments:

S. Up. Amdt. No. 409, technical amendments en bloc, sponsored by Mr. Percy.

S. Up. Amdt. No. 410, to increase the amount made available to Costa Rica from $2.5 million to $15 million, sponsored by Mr. Dodd.

S. Up. Amdt. No. 413, providing that in fiscal years 1982 and 1983 funds may be obligated for assistance for El Salvador under chapter 2 or 5 of part II of the Foreign Assistance Act of 1961, letters of offer may be issued and credits and guarantees may be extended for El Salvador under the Arms Export Control Act, and members of the Armed Forces may be assigned or detailed to El Salvador to carry out functions under the Foreign Assistance Act of 1961 or the Arms Export Control Act, only if every 180 days after enactment of this Act, the President makes certification in accordance with subsection (c), sponsored by Mr. Pell.

S. Up. Amdt. No. 416, to insert provisions relating to food for peace programs, sponsored by Mr. Helms.

S. Up. Amdt. No. 417, providing that, notwithstanding any other provisions of law, of the funds authorized to be appropriated for fiscal year 1982, $5,000,000 shall be available only for Poland for the purchase, transportation and distribution of food and medical supplies through private voluntary agencies, where appropriate, sponsored by Mr. Kennedy.

S. Up. Amdt. No. 418, providing that, of the funds authorized to be appropriated for fiscal year 1982, $5,000,000 shall be available only for Lebanon for relief and rehabilitation programs of international and private voluntary agencies, sponsored by Mr. Kennedy.

S. Up. Amdt. No. 419, to make available up to $5,000,000 for countries seeking to improve infant feeding practices, sponsored by Mr. Kennedy.

S. Up. Amdt. No. 444, to make technical amendments, sponsored by Mr. Pell.

S. Up. Amdt. No. 445, providing that, in authorizing assistance to Pakistan, it is the intent of Congress to promote expeditious restoration of full civil liberties and representative government in Pakistan, sponsored by Mr. Pell.

S. Up. Amdt. No. 447, to repeal the Clark Amendment, sponsored by Mrs. Kassebaum.

S. Up. Amdt. No. 448, to delete provisions concerning the Overseas Private Investment Corporation which the Senate has already passed in a separate bill, sponsored by Mr. Pell.

S. Up. Amdt. No. 449, to require a comprehensive analysis of foreign assistance, sponsored by Mr. Pressler.

S. Up. Amdt. No. 450, to limit the period for repayment of the principal amount of certain guaranteed loans, sponsored by Mr. Inouye.

S. Up. Amdt. No. 451, to exclude from charges for administrative services the recovery of extraordinary expenses incurred by departments and agencies of the United States in carrying out certain functions under the Arms Export Control Act, sponsored by Mr. Kasten.

S. Up. Amdt. No. 452, to provide that funds appropriated under the Foreign Assistance Act of 1961 or the Arms Export Control Act may be deobligated pursuant to an Act of Congress only to the extent or in the amounts provided in appropriation Acts, sponsored by Mr. Kasten.

S. Up. Amdt. No. 453, to eliminate the limitation on the monthly rate of payment of a readjustment allowance for Peace Corps volunteers, sponsored by Mr. Inouye.

S. Up. Amdt. No. 454, expressing hope that further progress by the government of Argentina to adjudicate numerous cases of those detained under the National Executive Power of the Argentine Government will continue, sponsored by Mr. Percy.

S. Up. Amdt. No. 455, to require that not less than 15 percent of economic support fund assistance which is allocated to finance the purchase of United States commodities be available only for the purpose of financing the purchase of agricultural commodities, sponsored by Mr. Zorinsky.

S. Up. Amdt. No. 456, to express the sense of the Congress with respect to the use of, or the provision for use of, toxins or biological or chemical agents against the peoples of Laos, Cambodia, Afghanistan, and the Soviet Union, sponsored by Mr. Humphrey.

S. Up. Amdt. No. 491, to require the President to transmit a classified report regarding the nuclear program of Pakistan, sponsored by Mr. Glenn.

S. Up. Amdt. No. 492, to require a prohibition on furnishing assistance to any non-nuclear weapons country if such country detonates a nuclear device, sponsored by Mr. Helms.

S. Up. Amdt. No. 493, to prohibit the importation of crude oil extracted in Libya, sponsored by Mr. Hart.

S. Up. Amdt. No. 494, to express the sense of the Congress concerning Libyan actions by the Libyan Government, sponsored by Mr. Percy.

S. Up. Amdt. No. 495, to prohibit the importation of crude oil extracted in Libya, sponsored by Mr. Hart.

S. Up. Amdt. No. 497, to prohibit the transfer of economic and military assistance to countries represented at the meeting of Foreign Ministers and Heads of Delegations of Non-Aligned Countries which fail to dissociate themselves from the Communique of September 28, 1981, sponsored by Mr. Moynihan.

S. Up. Amdt. No. 498, to discourage the transfer of economic and military assistance to countries represented at the meeting of Foreign Ministers and Heads of Delegations of Non-Aligned Countries which fail to dissociate themselves from the Communique of September 28, 1981, sponsored by Mr. Moynihan.

S. Up. Amdt. No. 499, to eliminate provisions earmarking funds, sponsored by Mr. Kasten.

S. Up. Amdt. No. 501, to increase the amount of ammunition that may be stored in fiscal year 1982 in Korea by the United States Government for possible Korean use, sponsored by Mr. Hayakawa.

S. Up. Amdt. No. 502, to repeal a prohibition on furnishing certain assistance for Chile, sponsored by Mr. Helms.

S. Up. Amdt. No. 503, perfecting amendment to S. Amdt. No. 502, sponsored by Mr. Percy.

S. Up. Amdt. No. 504, to retain authority for leases of defense articles to foreign or international organizations in title 10, section 2667 and to eliminate the requirement for legislative review of these leases, sponsored by Mr. Tower.

S. Up. Amdt. No. 506, to insure that the United States should take all steps necessary to insure that no U.S. citizen is acting in the service of terrorism or of the proponents of terrorism, sponsored by Mr. Glenn.

S. Up. Amdt. No. 507, to restore the administration's budget request for international military education and training, sponsored by Mr. Tower.

S. Up. Amdt. No. 508, to require the President to prepare and transmit to the Congress a report regarding the Salvadoran conflict, sponsored by Mr. Hatfield.

S. Up. Amdt. No. 510, amendment to the Special Defense Acquisition Fund to make technical changes to establish a ceiling for the Special Defense Acquisition Fund (SDAF) in title 10, section 138 and to recognize the interest of the Armed Services Committee in the SDAF, sponsored by Mr. Tower.

S. Up. Amdt. No. 511, to limit the total amount of funds authorized to be appropriated by this Act which may be obligated or expended, sponsored by Mr. Helms.

S. Up. Amdt. No. 512, to restrict the provision of assistance to land reform in El Salvador, sponsored by Mr. Helms.

S. Up. Amdt. No. 515, to provide for the use of certain Polish currencies, sponsored by Mr. Percy.

S. Up. Amdt. No. 516, to limit the total amount of funds authorized to be appropriated by this Act which may be obligated or expended, sponsored by Mr. Percy.

S. Up. Amdt. No. 516, to condition the availability of funds for the Sahel development program on the maintenance of certain accounting procedures with respect to such funds, sponsored by Mr. Kasten.

S. Amdt. No. 517, to reduce the amount of funds authorized to be appropriated for the American Schools and Hospitals Abroad account, sponsored by Mr. Kasten.

S. Amdt. No. 525, to provide that funds may be made available for the Special Defense Acquisition fund only to such extent or in such amounts as are provided in advance in appropriation Acts, sponsored by Mr. Kasten.

S. Amdt. No. 551, expressing the sense of the Congress that the President should undertake a diplomatic initiative to obtain payment by the Soviet Union of its arrearages to the Unites States, sponsored by Mr. Proxmire.

S. Amdt. No. 555, to make available funds under the Foreign Assistance Act of 1961 for Haiti only if the President determines that the Government of Haiti has cooperated with the United States in halting illegal emigration from Haiti, and for other purposes, sponsored by Mr. Chiles.

S. Amdt. No. 559, to limit the period during which the President may waive a prohibition on furnishing assistance to Pakistan, and for other purposes, sponsored by Mr. Glenn.

S. Amdt. No. 560, to require a prohibition on furnishing assistance to India or Pakistan if such country detonates a nuclear device, sponsored by Mr. Glenn.

S. Amdt. No. 561, providing that a strong commitment to the defense of human rights should continue to be a central feature of American foreign policy, and the President should submit the name of a nominee for the position of Assistant Secretary of State for Human Rights and Humanitarian Affairs, sponsored by Mr. Mitchell.

S. Amdt. No. 562, relating to assistance furnished to the Government of El Salvador, sponsored by Mr. Lugar.

S. Amdt. No. 571, placing conditions on the funds authorized to be appropriated to Nicaragua, sponsored by Mr. Zorinsky.

S. 1946, Czechoslovakian Claims Settlement

Sponsored by Mr. Moynihan, and cosponsored by Mr. Dole, and Mr. Percy.

Passed Senate without amendment by Voice Vote, December 11, 1981.

H.R. 3136, Overseas Private Investment Corporation Amendments Act of 1981

Amends the Foreign Assistance Act of 1961 to increase: (1) the maximum per capita income which qualifies a less developed country for preferential consideration for investment projects by the Overseas Private Investment Corporation, (OPIC); and (2) the ceiling on per capita income for countries in which OPIC activity is restricted. Directs OPIC to support developmental projects having trade benefits for the United States.

Increases the number of members of OPIC's Board of Directors. Requires one of the Board members to be a Department of Labor official. Authorizes OPIC to insure approved projects against the risk of civil strife. Limits OPIC's share of insurance liability for multilateral investments to the proportionate participation of eligible investors in the projects (currently in total project financing).

Limits the amount of investment insurance and quaranties issued to a single investor to a concern percentage of the maximum contingent liability of such insurance and quaranties which OPIC is permitted to have outstanding.

Deletes the prohibition against OPIC entering certain direct insurance underwriting agreements with other insurance companies. Deletes the limitation on the amount of OPIC's annual reinsurance liabilities.

Makes technical changes in the basis for determining OPIC's maximum contingent liability under its quaranty program. Extends the authority of OPIC to issue investment insurance and quaranties until September, 1985. Authorizes OPIC to transfer a specified amount of OPIC funds to the Direct Investment Fund for loans to eligible foreign small business projects.

Authorizes computation of a claim of loss under equity investment insurance on the basis of net book value attributable to such equity investment on the date of loss. Abolishes the provision which permits a State to prohibit OPIC from requiring an investor to be insured for ten percent of an investment otherwise insured by OPIC.

Authorizes OPIC to collect or compromise any obligations assigned to or held by it. Transfers the responsibility for auditing OPIC from the Auditor-General to the Inspector General of the Agency for International Development.

Abolishes (1) OPIC's Advisory Council; (2) certain limitations on OPIC's financial support for new or expanded copper exploration or extraction projects; and (3) the prohibitions on OPIC financial support for projects involving production or processing of palm oil, sugar, or citrus crops for export.

The Senate agreed to the following amendments:

S. Up. Amdt. No. 434, to substitute Title V of S. 1196 for the text of H.R. 3136. (To amend and extend the authority of the Overseas Private Investment Corporation), sponsored by Mr. Percy.

S. Up. Amdt. No. 461, to conform to Budget Act of 1974, sponsored by Mr. Domenici.

Measure signed in Senate on October 7, 1981 and signed by the President on October 16, 1981 and became Public Law No. 97-65.

RESOLUTIONS

S.J. Res. 65, proclaims Raoul Wallenberg an honorary citizen of the United States and requests the President to ascertain his whereabouts from the Soviet Union and to secure his freedom

Sponsored by Mr. Pell, was reported by the Senate Committee on Foreign Relations and the Senate Committee on the Judiciary, and cosponsored by Mr. Sarbanes; Mr. Baucus; Mr. Williams; Mr. Goldwater; Mr. Specter; Mr. Tsongas; Mr. Moynihan; Mr. Levin; Mr. Riegle; Mr. Zorinsky; Mr. Hayakawa; Mr. Inouye; Mr. Bradley; Mr. Metzenbaum; Mr. Boren; Mr. Eagleton; Mr. Huddleston; Mr. Danforth; Mr. Hollings; Mr. Durenberger; Mr. Dodd; Mr. Jackson; Mr. Hart; Mr. Nunn; Mr. Pryor; Mr. Heflin; Mr. Mathias; Mr. Matsunaga; Mr. Bentsen; Mr. Cranston; Mr. Cannon; Mr. DeConcini; Mr. Biden; Mr. Armstrong; Mr. Chiles; Mr. Exon; Mr. Cohen; Mr. Glenn; Mr. Boschwitz; Mr. Roth; Mr. Wallop; Mr. Leahy; Mr. Proxmire; Mr. Sasser; Mr. Gorton; Mr. Weicker; Mr. Bumpers; Mr. Humphrey; Mr. Lugar; Mr. Packwood; Mr. D'Amato; Mr. Melcher; Mr. Jepsen; Mr. Thurmond; Mrs. Hawkins; Mr. Dixon; and Mr. Rudman.

Signed by the President on October 5, 1981 and became Public Law No. 97-54.

S.J. Res. 100, authorizes the participation of the United States in a multinational force and observers to implement the Treaty of Peace between Egypt and Israel

Authorizes the President to: (1) assign U.S. military personnel to participate in the multinational force and observers (MFO) to be established according to the Egyptian-Israeli protocol relating to implementing the security arrangements of the peace treaty; (2) provide U.S. civilian personnel to participate in the MFO; and (3) agree to the United States' contributing a share of the costs of the MFO. Authorizes appropriations for fiscal year 1982 for such contributions. Authorizes any Federal agency to sell, loan, or lease property to, and to perform administrative and technical services supporting, the MFO.

Sponsored by Mr. Percy, was reported by the Senate Committee on Foreign Relations.

The Senate agreed to the following amendment:

S. Up. Amdt. No. 476, providing that the President should give careful consideration to assigning responsibility for the coordination of United States support of the Multinational Force and Observers to the Director of the U.S. Arms Control and Disarmament Agency consistent with his statutory responsibilities, sponsored by Mr. Pell.

Passed Senate with amendments and with a preamble by Voice Vote, October 7, 1981.

S. Con. Res. 4, expresses the sense of the Congress that the President should implement the objectives of the International Year of Disabled Persons (1981)

Sponsored by Mr. Dole, was reported by the Senate Committee on Labor and Human Resources, and cosponsored by Mr. Hatfield; Mr. Randolph; Mr. Stafford; Mr. Moynihan; Mr. Baucus; Mr. Heinz; Mr. Bentsen; Mr. Durenberger; Mr. Matsunaga; Mr. Burdick; Mr. Percy; Mr. Williams; Mr. Cranston; Mr. Cochran; Mr. Hollings; Mr. Abdnor; Mr. Hatch; Mrs. Kassebaum; Mr. Lugar; Mr. Tsongas; Mr. Melcher; Mr. Pell; Mr. Thurmond; Mr. Boschwitz; and Mr. Hayakawa. 7, 1981.

S. Con. Res. 5, expresses the sense of Congress that the Soviet Union should provide medical care for Dr. Viktor Brailovsky and permit him to emigrate to Israel

Sponsored by Mr. Lugar, was reported by the Senate Committee on Foreign Relations, and cosponsored by Mr. Zorinsky; Moynihan; Levin; Hollings; Inouye; Jackson; Mr. Percy; Mr. Sarbanes; Mr. Williams; Mr. Dole; Mr. Tsongas; Mr. Boschwitz; Mr. Bradley; Mr. Cohen; Mr. Eagleton; Mr. Heinz; Mr. Specter; Mr Garn; Mrs. Kassebaum; Mr. Cranston; Mr. DeConcini; Mr. Gorton; Mr. Chiles; Mr. Hayakawa; Mr. Exon; Mr. Metzenbaum; Mr. Kasten; and Mr. D'Amato.

Agreed to in Senate without amendment and an amendment to the Title and an amendment to the preamble by Voice Vote, June 19, 1981.

S. Con. Res. 18, declares the sense of Congress that the President shall take steps to secure freedom of worship in the Ukraine and bring to the attention of national and international religious councils Soviet violations of basic human rights

Sponsored by Mr. Goldwater, was reported by the Senate Committee on Foreign Relations, and cosponsored by Mr. DeConcini; Mr. Dole; Mr. Heinz; Mr. Humphrey; Mr. Jepsen; Mr. Lugar; Mr. Metzenbaum; Mr. Williams; Mr. Zorinsky; Mr. Hatfield; Mr. Moynihan; Mr. Sarbanes; Mr. Kasten; and Mr. Symms.

Agreed to in Senate with amendments and an amendment to the preamble by Voice Vote, June 19, 1981.

S. Con. Res. 39, expresses regret of Congress over the assassination of President Anwar Sadat of Egypt

Expresses the sympathy of the United States to President Anwar Sadat's family and to Egypt. Reaffirms U.S. support for Egypt.

Sponsored by Mr. Baker, and cosponsored by Mr. Byrd; Mr. Kennedy; Mr. Percy; Mr. Tower; Mr. Boschwitz; Mr. Biden; Mr. Matsunaga; Mr. Kasten; Mr. Sasser; Mr. Bentsen; Mr. Sarbanes; Mr. Ford; Mr. Levin; and Mr. Pell.

Passed Senate on October 6, 1981.

S. Con. Res. 45, expresses Sense of Congress in Respect to Rights of People of Afghanistan

Expresses the concern of Congress with the denial of the rights of the Afghan people.

Recognizes the traditional U.S. commitment to the right of all people to independence and automony and the applicability of that commitment to Afghanistan.

Sponsored by Mr. Grassley, was reported by the Senate Committee on Foreign Relations, and cosponsored by Mr. Symms; Mr. Hollings; Mr. Thurmond; Mr. DeConcini; Mr. Humphrey; Mr. Levin; Mr. Hart; Mr. Cohen; Mr. East; Mr. Denton; Mr. Nickles; Mr. McClure; Mr. D'Amato; and Mr. Byrd.

Passed Senate on November 24, 1981.

S. Con. Res. 58, expresses the sense of the Congress with respect to the continued internal exile and treatment by their government of the Soviet Union of Andrei Sakharov and his wife, Yelena Bonner

Sponsored by Mr. Tsongas, and cosponsored by Mr. Jepsen, Mr. Percy, Mr. Dodd, Mr. Moynihan, Mr. Jackson, Mr. Riegle, and Mr. Boschwitz.

Passed Senate by Voice Vote, December 16, 1981.

S. Res. 144, offers strong support for diplomatic efforts to resolve the current crisis in Lebanon, and to protect the right of Lebanese Christian and other communities to live in freedom and security

Sponsored by Mr. Kennedy, was reported by the Senate Committee on Foreign Relations, and cosponsored by Mr. Jackson, Mr. Cranston, Mr. Biden, Mr. Tsongas, Mr. Moynihan, Mr. Pell, and Mr. Boschwitz.

Agreed to in Senate with amendments and an amendment to the Title and an amendment to the preamble by Voice Vote, June 25, 1981.

S. Res. 179, resolution to improve the international nonproliferation regime

Expresses the sense of the Senate that the President should: (1) confer on an urgent basis with other nuclear suppliers to consider tightening restrictions on dangerous nuclear trade through specified measures; (2) develop a strong and effective program for the improvement of the International Atomic Energy Agency safeguards regime through specified measures; (3) formulate and urge other countries to adopt a clear policy on enhanced international restrictions on dangerous nuclear trade and on improving the international safeguards regime; (4) call for a reevaluation of world nuclear energy policy; and (5) reaffirm U.S. policy to assist other countries in meeting their energy needs with nonnuclear energy alternatives.

Sponsored by Mr. Glenn and cosponsored by Mr. Specter; Mr. Percy; Mr. Dodd; Mr. Matsunaga; Mr. Pressler; Mr. Levin; Mr. Boschwitz; Mr. Pell; Mr. Cranston; Mr. Mathias; and Mr. Zorinsky.

Agreed to in Senate with an amendment and with a preamble by Yea-Nay Vote. 88-0. Record Vote No. 200. July 17, 1981.

S. Res. 250, expresses the Sense of the Senate with respect to the murders of six Americans in El Salvador

Sponsored by Mr. Kennedy and cosponsored by Mr. Pell, Mr. Hatfield, Mr. Dodd, Mr. Cranston, Mr. Tsongas, and Mr. Chafee.

The Senate agreed to the following amendment:

S. Up. Amdt. No. 733, to insert in the resolving clause "Welcomes the Government of El Salvador's recent request for U.S. technical assistance in carrying out these investigations.", sponsored by Mr. Percy.

Agreed to in Senate with an amendment and with a preamble by Voice Vote, December 2, 1981.

S. Res. 268, relates to the imposition of martial law in Poland

Sponsored by Mr. Percy and cosponsored by Mr. Moynihan; Mr. Abdnor; Mr. Bradley; Mr. Cohen; Mr. D'Amato; Mr. DeConcini; Mr. Domenici; Mr. Durenberger; Mr. Eagleton; Mr. Heinz; Mr. Leahy; Mr. Levin; Mr. Mitchell; Mr. Metzenbaum; Mr. Murkowski; Mr. Thurmond; Mr. Wallop; Mr. Weicker; Mr. Zorinsky; Mr. Kennedy; Mr. Bentsen; Mr. Dodd; Mr. Humphrey; Mr. Denton; Mr. Specter; Mr. Bumpers; Mr. Byrd, of VA; Mr. Byrd, of WV; Mr. Chafee; Mr. Chiles; Mr. Cranston; Mr. Dixon; Mr. Dole; Mr. Exon; Mr. Ford; Mr. Nunn; Mr. Burdick; Mr. Glenn; Mr. Gorton; Mr. Jepsen; Mr. Johnston; Mr. Kasten; Mr. Matsunaga; Mr. Melcher; Mr. Packwood; Mr. Pell; Mr. Pressler; Mr. Randolph; Mr. Riegle; Mr. Sarbanes; Mr. Sasser; Mr. Schmitt; and Mr. Williams.

Passed Senate on December 15, 1981.

H.J. Res. 268, requests the President to designate October 23, 1981, as "Hungarian Freedom Fighters Day"

Reported by the Senate Committee on the Judiciary.

Measure signed in Senate on October 22, 1981 and signed by the President on October 26, 1981, and became Public Law No. 97-71.

H. Con. Res. 85, expresses the sense of the Congress that: (1) the restoration of the business of the Spanish parliament after its military seizure symbolizes the strength of Spanish democracy and inspires freedom-loving people; and (2) the continued democratic political development in Spain contributes to U.S. and Western European foreign policy interests. Congratulates Spain on its commitment to democracy

Reported by the Senate Committee on Foreign Relations.

Agreed to in Senate without amendment and with a preamble by Voice Vote, March 26, 1981.

H. Con. Res. 194, expresses the objection of Congress to the proposed sale to Saudi Arabia of airborne warning and control system (AWACS) aircraft, conformal fuel tanks, AIM-9L air-to-air missiles, and refueling aircraft

Disagreed to in Senate by Yea-Nay Vote. 48-52. Record Vote No. 338, October 28, 1981.

H. Con. Res. 215, expresses the sense of the Senate with respect to the imprisonment and treatment by the Soviet Union of the Paritsky family.

Passed Senate on December 15, 1981.

H. Con. Res. 224, commends and supports the President's peace initiatives. Reaffirms the desire of Congress to work with the President to reduce the threats of nuclear war.

Agreed to in Senate without amendment and with a preamble by Yea-Nay Vote. 95-0. Record Vote No. 402, November 19, 1981.

JUDICIARY AND ADMINISTRATION OF JUSTICE

S. 255, Patent Term Restoration Act of 1981

Amends the patent law to extend the terms of patents which encompass specified products or a method for using a product, any of which are subject to certain nonpatent regulatory review periods. Sets forth the terms and conditions of such extension, including a seven year limitation. Directs the Commissioner of Patents to issue to the owner of record of a patent a certificate of extension stating the fact and length of the extension and identifying the product and the use and the claim to which such extension is applicable. Makes such certificate a part of the original patent.

Limits the application of such patent term extension to patents for products subject to regulation under the Federal Food, Drug, and Cosmetic Act, the Public Health Service Act, the Federal Insecticide, Fungicide, and Rodenticide Act, the Toxic Substances Control Act, and the Act of March 4, 1913 (relating to virus, serum, toxin, and analogous products). Requires further extensions of the patent term for certain products approved under the Federal Food, Drug, and Cosmetic Act before January 1, 1981, but whose regulation granting approval was stayed for a period of time.

Sponsored by Mr. Mathias, was reported by the Senate Committee on the Judiciary, and cosponsored by Mr. Byrd of West Virginia; Mr. Thurmond; Mr. Percy; Mr. DeConcini; Mr. Schmitt; Mr. Hatch; Mr. Hatfield; Mr. Simpson; Mr. Inouye; Mr. Hollings; Mr. Williams; Mr. Symms; Mr. Heflin; Mr. Nunn; Mr. Danforth; Mr. Lugar; Mr. Laxalt; Mr. Randolph; Mr. Dole; Mr. Huddleston; Mr. Bradley; Mr. Biden; Mr. Grassley; Mr. East; Mr. Baker; Mr. Denton; Mr. Baucus; Mr. Tsongas; Mr. Cannon; Mr. Roth; and Mr. Helms.

The Senate agreed to the following amendment:

S. Amdt. No. 218, providing that, except for products approved and for which a stay of regulation granting approval pursuant to Section 409 of the Federal Food, Drug and Cosmetic Act was in effect as of January 1, 1981, the period of such patent extensions shall be measured from the date such stay was imposed until such proceedings are finally resolved and commercial marketing permitted provided the filing required by (b)(1) is made within 90 days of the termination of the regulatory review period or the effective date of the section, whichever is later, sponsored by Mr. Heflin.

Passed Senate with an amendment by Voice Vote, July 9, 1981.

S. 691, Piracy and Counterfeiting Amendments Act of 1981

Amends the Federal criminal code to revise and increase the penalties for the offense of trafficking in counterfeit labels.

Includes within such offense trafficking in copies of motion pictures and audiovisual works. Eliminates the current scienter requirement of "fraudulent intent." Increases the maximum penalty from one year imprisonment and/or a $10,000 fine to five years' imprisonment and/or a $250,000 fine. Separates from the elements of such offense its jurisdictional bases, which are defined to include: (1) special jurisdiction of the United States (territorial, aircraft, or maritime); (2) use of a facility of interstate or foreign commerce; or (3) counterfeiting copyrighted material.

Establishes new criminal penalties for the criminal infringement of a copyright involving the reproduction or distribution of phonorecords, motion pictures, or audiovisual works. Correlates the level of such penalties to the number of items reproduced or distributed during any 180-day period.

Sponsored by Mr. Thurmond, was reported by the Senate Committee on the Judiciary.

Passed Senate with amendments by Voice Vote, December 1, 1981.

S. 840, declares that the authority and limitation on authority contained in the Department of Justice Appropriation Authorization Act, Fiscal Year 1980, shall continue in effect from April 6, 1981, through September 30, 1981

Sponsored by Mr. Thurmond.

Signed by the President on April 9, 1981 and became Public Law No. 97-7.

S. 863, Bankruptcy Amendments Act of 1980 Bankruptcy Amendments Act of 1981

BANKRUPTCY AMENDMENTS ACT OF 1981

Title I: Amendments to Title 11 of the United States Code.—Makes technical amendments to the Bankruptcy Reform Act of 1978.

Amends the definition of a "security" under title 11, which includes only securities registered under the Securities Act of 1933, to include any security which should be so registered.

Specifies the time periods for assessing tax liabilities or filing a petition of bankruptcy after a stay has been imposed.

Increases the compensation payable to trustees.

States that a bankruptcy petition shall operate as a stay of the filing of a tax lien or of the presentation of a negotiable instrument.

Requires notification by the trustee if so required by the Clayton Act.

Establishes the burden of proof in having to use, sell, or lease property.

Allows a claim for tax liability arising from payment from the estate of a claim for wages, salaries, or commissions.

Sets forth limitations on the reconsideration of claims.

Permits the court to offset a claim for tax liability with any counterclaim.

Limits the amount of claims for wages, contributions to employee benefit plans, deposits, or taxes which is entitled to priority.

Requires the debtor to file a schedule of equity interests along with the assets and liabilities.

Removes the debtor's exemption of property interests held in joint tenancy. Permits the debtor to avoid a transfer or recover a setoff of property and exempt such property if such transfer is voidable or recoverable by the trustee, whether or not the trustee attempts to do so, subject to specified limitations.

Removes the permissible discharge from debt of alimony or support which has been assigned to another entity.

Prohibits a creditor from obtaining a setoff which was transferred for such a purpose.

Prohibits the avoidance of certain transfers by the debtor.

Permits the debtor to redeem property pursuant to an agreement based on a dischargeable debt.

Requires the trustee to transfer commodity contracts that are being actively traded, if feasible. Prohibits paying a customer net equity claim based on a proprietary account unless all other such claims have been paid in full.

Allows representation of more than one creditor of the same class by a committee.

Permits holders of claims secured by property to elect that such claims are secured claims, whether or not the holders of such claims had recourse against the debtor.

Gives the governmental unit concerned the burden of proof that the principal purpose of a plan is the avoidance of taxes.

States that confirmation of a plan means automatic relief from a stay of claims to the extent such plan will not pay such claim.

Requires the trustee to dispose of monies received in cases involving the debts of an individual with regular income. Authorizes the trustee to call a meeting of creditors in such cases.

Requires the trustee to file periodic reports on the operations of businesses which the trustee is authorized to operate and to transmit any statement of investigation to any entity designated by the court.

Title II: Amendments to Title 28 of the United States Code.—Makes technical amendments to the provisions relating to the administration of bankruptcy courts. Sets forth provisions applicable to the selection of bankruptcy judges, appellate panels, retirement compensation of bankruptcy judges, unlimited tenure for bankruptcy judges, the appointment and duties of U.S. trustees, such court's contempt powers, and the registration of discharge and confirmation orders.

Reduces the number of years of judicial service required for pensions to judges removed or not reappointed by the President. Revises provisions concerning the compensation of U.S. magistrates, the appointment of court reporters, and filing fees. Makes the provisions concerning district court filing fees applicable to the District of Columbia.

Title III: Amendments to the Act of November 6, 1978.—Designate such Act as the Bankruptcy Reform Act of 1978.

Makes technical amendments relating to the transition period in implementing such bankruptcy legislation.

Title IV: Amendments to Other Acts.—Makes conforming changes in the Commodity Exchange Act, the Perishable Agricultural Commodities Act of 1930, the Securities Investor Protection Act, the Fair Credit Reporting Act, the Federal Mine Safety and Health Act of 1977, and the Social Security Act.

Title V: Related Provisions of Law.—States that nothing prohibits: (1) a stockbroker or securities clearing agency from exercising a contractual right to liquidate a securities contract; or (2) a commodity broker or forward contract merchant from liquidating a commodity contract or forward contract.

Makes specified amendments in this Act effective April 1, 1984, and all others effective on enactment.

Sponsored by Mr. Dole, was reported by the Senate Committee on the Judiciary, and cosponsored by Mr. Heflin, Mr. DeConcini, and Mr. Wallop.

Passed Senate with amendments by Voice Vote, July 17, 1981.

S. 923, Pretrial Services Act of 1981

Title I: Pretrial Services Act of 1981.—Pretrial Services Act of 1981—Requires the Director of the Administrative Office of the U.S. Courts to establish, under the supervision of the Judicial Conference of the United States, directly or by contract, a pretrial services agency (PSA) in each judicial district as recommended by the appropriate district court and circuit judicial council. (Current law authorizes such agencies on a demonstration basis in ten representative districts.)

Places such agencies under the general authority of the Director and under the supervision of a chief pretrial services officer selected by a panel consisting of the chief judges of the circuit and district courts and a magistrate of the district. (Current law places five agencies under the Office's Division of Probation and five under an independent Board of Trustees.)

Requires, rather than permits, regulations issued by the Director relating to the confidentiality of information contained in agencies' files to provide for certain exceptions.

Continues generally the existing functions and powers of the PSAs, and adds three new duties: (1) developing a system to monitor and evaluate bail activities; (2) preparing pursuant to agreements reports for the U.S. Attorneys Offices on information pertaining to pretrial diversion; and (3) making contracts to carry out PSA functions. Eliminates the discretion of the district courts to determine which duties shall be performed. Deletes the requirement that contracts for the operation of facilities for the custody of persons released be approved by the Attorney General.

Requires the Director to include in the annual report to the Judicial Center a report on the administration and operation of the PSAs.

Authorizes appropriations to carry out this Act and for the activities of the PSAs before the effective date of this Act.

Sponsored by Mr. Biden, was reported by the Senate Committee on the Judiciary, and cosponsored by Mr. Mathias.

Passed Senate without amendment by Voice Vote, June 18, 1981.

S. 1700, Federal Courts Improvement Act of 1981

Sponsored by Mr. Dole, was reported by the Senate Committee on the Judiciary, and cosponsored by Mr. DeConcini, and Mr. Thurmond.

Passed Senate on December 8, 1981.

Amended, rollcall No. 62(83-6).

Title I: United States Court of appeals for the Federal Circuit and United States Claims Court.—Part A: Organization, Structure, and Jurisdiction—Establishes the United States Court of Appeals for the Federal Circuit, composed of all Federal judicial districts and consisting of 12 judges.

Grants the United States Court of Appeals for the Federal Circuit exclusive jurisdiction over: (1) patent, copyright, and trademark appeals from district courts (except cases involving copyrights or trademarks and no other issues, which shall continue to be appealed to the circuit courts); (2) appeals of claims against the Government (except cases under the Federal Tort Claims Act which shall continue to be appealed to the circuit courts); (3) appeals from the United States Claims Courts; (4) certain other trademark and patent appeals not involving de novo review; (5) appeals from final decisions of the United States Court International Trade; (6) appeals from final determinations of the United States International Trade Commission relating to unfair practices in import trade; (7) certain findings of the Secretary of Commerce relating to importation of instruments; (8) appeals under the Plant Variety Protection Act and from final orders of the Merit Systems Protection Board; and (9) appeals from final decisions of agency boards of contract appeals pursuant to the Contract Disputes Act of 1978.

Declares the District of Columbia to be the official duty station of such Court of Appeals.

Replaces the Court of Claims with the United States Claims Court, consisiting of 16 Judges serving 15-year terms. Abolishes the Court of Customs and Patent Appeals.

Part B: conforming Amendments Outside Title 28—Makes conforming amendments.

Part C: Miscellaneous Provisions—Provides that the judges of the United States Court of Claims and United States Court of Customs and Patent Appeals in regular active service shall continue in office as judges of the United States Court of Appeals for the Federal Circuit.

Provides that commissioners of the United States Court of Claims shall become judges of the United States Claims Court. Limits the initial term of office of such judges to 15 years, except that no individual shall serve as a judge after reaching age 70.

Title II: Governance and Administration of the Federal Courts.—Part A: Chief Judge Tenure—Sets forth rules governing the appointment and terms of the chief judges of the courts of appeals and the district courts. Provides that any such chief judge shall serve for a seven-year term and shall be the circuit or district judge in regular active service who is senior in commission of those judges who: (1) are under 64 years of age (currently 70); (2) have served for at least one years; and (3) have not served previously as chief judge.

Part B: Precedence and Composition of Panel—Requires that a majority of the members of a circuit panel be judges of the circuit on which the panel sits.

Part C: Judicial Councils of the Circuits—Makes technical and conforming amendments concerning appointments to the Federal Public Defender Organization.

Part D: Judicial Resignation; Pensions—Directs the Administrative Office of the United States Courts to pay the amount due as a deposit for civil service retirement purposes for a period of judicial service which immediately precedes government service.

Part E: Temporary Assignment of Justices and Judges—Authorizes any retired justice or any Federal judge in active, senior, or retired status to be temporarily assigned to the position of Administrative Assistant to the Chief Justice, Director of the Administrative Office of the United States Courts, or Director of the Federal Judicial Center, and to resume active service after vacating such office.

Part F: Rules of Practice—Requires publication of the rules for the conduct of the business of each court of appeals. Directs each court of appeals to appoint an advisory committee for the study of its rules of practice and internal operating procedures.

Title III: Jurisdiction and Procedure.—Part A: Transfer of Cases—Directs a Federal court to transfer any action with regard to which it finds a want of jurisdiction to any other appropriate Federal court, if it is in the interest of justice.

Part B: Interest—Changes the basis for the interest rate on judgments in Federal courts from the rate allowed by State law to a national rate keyed to the prime interest rate as determined by the Internal Revenue Service. Authorizes the court to add to the sum of actual damages prejudgment interest, where such an award is appropriate to afford the prevailing party complete relief.

Title IV: Miscellaneous Provisions.—Allows court reporters to use electronic sound recording equipment to record verbatim court proceedings.

Makes the provisions of this Act effective 60 days after enactment.

The Senate agreed to the following amendments:

S. Amdt. No. 766, to provide for a rate of interest to be calculated on judgments against the United States, sponsored by Mr. Grassley.

S. Amdt. No. 767, to amend section 753 (b) of title 18, United States Code, relating to the recording of certain judicial proceedings, sponsored by Mr. Heflin.

S. Amdt. No. 768, to add a section to the bill that provides for transfers between Federal courts to cure want of jurisdiction, sponsored by Mr. Specter.

S. Amdt. No. 769, to change the effective date of the Act to October 1, 1982, sponsored by Mr. Grassley.

S. Amdt. No. 770, to Amend the Bankruptcy Act regarding farm produce storage facilities, and for other purposes, sponsored by Mr. Dole.

S. Amdt. No. 771, to establish a United States Court of Appeals for the Federal Circuit, to establish a United States Claims Court, and for other purposes, sponsored by Mr. Dole.

H.R. 3799, makes the Federal tort claims procedure the exclusive remedy in medical malpractice actions resulting from federally authorized National Guard Training activities (repeals the current provision covering such liability)

Passed Senate by Voice Vote, December 16, 1981.

H.R. 4353, amends the Federal Bankruptcy Law to apply a $100,000 ceiling to fees from the referees fund for any reorganization case confirmed before September 30, 1979, where such fees were not determined until after that date

Passed Senate by Voice Vote, December 16, 1981.

H.R. 4608, Department of Justice Authorization Act of 1980, extended to April 1, 1981

Continues in effect any authority or limitation provided under the Department of justice Appropriation Authorization Act, Fiscal year 1980 until the earlier of (1) the effective date of a general authorization of appropriations Act for the Department for fiscal year 1982; or (2) April 1, 1982.

Measure passed Senate amended, September 30, 1981.

Became Public Law No. 97-76, November 5, 1981.

S. Amdt. No. 459, to change the effective date on H.R. 4608 from 6 to 4 months, sponsored by Mr. Thurmond.

MEMORIALS, MEDALS, AND PROCLAMATIONS

PROCLAMATIONS

S.J. Res. 4, authorizes and requests the President to designate the week beginning with the Sunday preceding the fourth Thursday in November of each year as "National Family Week"

Sponsored by Mr. Burdick, was reported by the Senate Committee on the Judiciary, and cosponsored by Mr. Ford; Mr. Chiles; Mr. McClure; Mr. Goldwater; Mr. Baucus; Mr. Hatch; Mr. Sasser; Mr. Lugar; Mr. Hollings; Mr. Andrews; Mr. Huddleston; Mr. Riegle; Mr. Abdnor; Mr. Cranston; Mr. Inouye; Mr. Heinz; Mr. Bentsen; Mr. Nunn; Mr. Jepsen; Mr. Garn; Mr. Cochran; Mr. Melcher; Mr. DeConcini; Mr. Wallop; Mr. Sarbanes; Mr. Nickles; Mr. Grassley; Mr. Boschwitz; Mr. D'Amato; Mr. Quayle; Mr. Laxalt; and Mr. Thurmond.

Signed by the President on November 3, 1981 and became Public Law No. 97-75.

S.J. Res. 16, designates January 29, 1981, as "A Day of Thanksgiving To Honor Our Safely Returned Hostages"

Sponsored by Mr. Hatfield and cosponsored by Mr. Baker; Mr. Byrd, of West Virginia; Mr. Thurmond; Mr. Humphrey; Mr. Andrews; Mr. Benstsen; Mr. Biden; Mr. Boren; Mr. Boschwitz; Mr. Bumpers; Mr. Burdick; Mr. Cannon; Mr. Chafee; Mr. Cochran; Mr. Cohen; Mr. Danforth; Mr. DeConcini; Mr. Denton; Mr. Dixon; Mr. Gorton; Mr. Abdnor; Mr. Bradley; Mr. Byrd, of Virginia; Mr. Chiles; Mr. D'Amato; Mr. Dole; Mr. Durenberger; Mr. Ford; Mr. Garn; Mr. Glenn; Mr. Grassley; Mrs. Hawkins; Mr. Heflin; Mr. Heinz; Mr. Huddleston; Mr. Johnston; Mrs. Kassebaum; Mr.

Kasten; Mr. Kennedy; Mr. Leahy; Mr. Matsunaga; Mr. Mattingly; Mr. McClure; Mr. Metzenbaum; Mr. Mitchell; Mr. Moynihan; Mr. Nickles; Mr. Nunn; Mr. Packwood; Mr. Pell; Mr. Percy; Mr. Proxmire; Mr. Pryor; Mr. Randolph; Mr. Rudman; Mr. Stafford; Mr. Sasser; Mr. Stennis; Mr. Schmitt; Mr. Stevens; Mr. Symms; Mr. Tsongas; Mr. Williams; Mr. Sarbanes; and Mr. Zorinsky.

Signed by the President on January 26, 1981 and became Public Law No. 97-1.

S.J. Res. 28, requests the President to designate the week beginning March 8, 1981, as "Women's History Week"

Sponsored by Mr. Hatch, was reported by the Senate Committee on the Judiciary, and cosponsored by Mr. Moynihan; Mr. Schmitt; Mr. Levin; Mrs. Kassebaum; Mr. Durenberger; Mr. Baucus; Mr. Wallop; Mr. Cranston; Mr. Hatfield; Mr. Bentsen; Mr. Packwood; Mr. DeConcini; Mr. Heflin; Mr. Riegle; Mr. Mathias; Mr. Inouye; Mr. Boren; Mr. Ford; Mr. Stafford; Mr. Symms; Mr. Jepsen; Mr. Huddleston; Mr. Williams; Mr. Matsunaga; Mr. Thurmond; Mr. Melcher; Mr. Pell; Mr. Domenici; Mr. Grassley; Mr. Hayakawa; Mr. Specter; Mr. Sasser; Mr. Warner; Mr. Heinz; and Mr. Metzenbaum.

Signed by the President on August 4, 1981 and became Public Law No. 97-28.

S.J. Res. 50, requests the President to designate July 17, 1981, as "National P.O.W.-M.I.A. Recognition Day"

Sponsored by Mr. DeConcini, was reported by the Senate Committee on the Judiciary, and cosponsored by Mr. Dole; Mr. Heflin; Mr. Goldwater; Mr. Inouye; Mr. Quayle; Mr. Ford; Mr. Sarbanes; Mr. Mitchell; Mr. Riegle; Mr. Baucus; Mr. Nickles; Mr. Thurmond; Mr. Hollings; Mr. Murkowski; Mr. Roth; Mr. Lugar; Mr. Cohen; Mr. Durenberger; Mr. Cochran; Mr. Eagleton; Mr. Moynihan; Mr. D'Amato; Mr. Heinz; Mr. Garn; Mr. Wallop; Mr. Pryor; Mr. Cranston; Mr. Pell; Mr. Levin; Mrs. Kassebaum; Mr. Boschwitz; Mr. Sasser; and Mr. Burdick.

Signed by the President on June 12, 1981 and became Public Law No. 97-13.

S.J. Res. 61, authorizes and requests the President to designate April 9, 1981, as "African Refugee Relief Day"

Sponsored by Mrs. Kassebaum and cosponsored by Mr. Thurmond; Mr. Kennedy; Mr. Mathias; Mr. Dodd; Mr. Tsongas; Mr. Exon; Mr. Percy; Mr. Hayakawa; Mr. Levin; Mr. Glenn; and Mr. Cranston.

Signed by the President on April 9, 1981 and became Public Law No. 97-8.

S.J. Res. 62, authorizes and requests the President to designate the week of September 20 through 26, 1981 as "National Cystic Fibrosis Week."

Sponsored by Mr. Dole, was reported by the Senate Committee on the Judiciary, and cosponsored by Mr. Jepsen; Mr. Bentsen; Mr. Burdick; Mr. D'Amato; Mr. Lugar; Mr. McClure; Mr. Melcher; Mr. Pryor; Mr. Sarbanes; Mr. Williams; Mr. Humphrey; Mr. Andrews; Mr. DeConcini; Mr. Cochran; Mr. Bumpers; Mr. Hollings; Mr. Tsongas; Mr. Riegle; Mr. Goldwater; Mr. East; Mr. Ford; Mr. Jackson; Mr. Moynihan; Mr. Huddleston; Mr. Nunn; Mr. Hatfield; Mr. Specter; Mr. Randolph; Mr. Bradley; Mr. Sasser; Mr. Proxmire; Mr. Percy; Mr. Cannon; Mr. Nickles; Mr. Thurmond; and Mr. Heinz.

Signed by the President on September 17, 1981 and became Public Law No. 97-44.

S.J. Res. 64, requests the President to designate August 13, 1981, as "National Blinded Veterans Recognition Day"

Sponsored by Mr. Simpson, was reported by the Senate Committee on the Judiciary, and cosponsored by Mr. Thurmond; Mr. Stafford; Mr. Kasten; Mr. Denton; Mr. Murkowski; Mr. Specter; Mr. Cranston; Mr. Randolph; Mr. Matsunaga; Mr. DeConcini; Mr. Mitchell; Mr. Dole; Mr. Mathias; Mr. Sarbanes; Mr. Laxalt; Mr. Goldwater; Mr. Domenici; Mr. Heinz; Mrs. Hawkins; Mr. Warner; Mr. Williams; Mr. Moynihan; Mr. Riegle; Mr. Levin; Mr. Bradley; Mr. Hollings; Mr. Durenberger; Mr. Inouye; Mr. Lugar; Mr. Burdick; Mr. Chiles; Mr. Huddleston; and Mr. Sasser.

Signed by the President on August 6, 1981 and became Public Law No. 97-32.

S.J. Res. 78, requests the President to designate October 2, 1981, as "American Enterprise Day"

Sponsored by Mr. Cochran, was reported by the Senate Committee on the Judiciary, and cosponsored by Mr. Pryor; Mr. Stennis; Mr. Laxalt; Mr. Heflin; Mr. Nunn; Mr. Lugar; Mr. Abdnor; Mr. Schmitt; Mr. Ford; Mr. Stevens; Mr. Mathias; Mr. Sasser; Mr. Goldwater; Mr. Armstrong; Mr. Hatch; Mr. Roth; Mr. Durenberger; Mr. Helms; Mr. East; Mr. Kennedy; Mr. DeConcini; Mr. Huddleston; Mr. Baucus; Mr. Boren; Mr. Metzenbaum; Mr. Dole; Mr. Thurmond; Mr. Cannon; and Mr. Byrd, of Virginia.

Signed by the President on October 2, 1981 and became Public Law No. 97-52.

S.J. Res. 87, designates September 13, 1981 as "Commodore John Barry Day"

Sponsored by Mr. Mathias, was reported by the Senate Committee on the Judiciary, and cosponsored by Mr. Thurmond; Mr. Sarbanes; Mr. Cohen; Mr. Chafee; and Mr. Williams.

Measure passed Senate on July 31, 1981.

Became Public Law No. 97-43, August 20, 1981.

S.J. Res. 98, authorizes and requests the President to designate October 16, 1981, as "World Food Day"

Sponsored by Mr. Leahy, was reported by the Senate Committee on the Judiciary, and cosponsored by Mr. Andrews; Mr. Baucus; Mr. Bradley; Mr. Cranston; Mr. Danforth; Mr. Dixon; Mr. Dodd; Mr. Dole; Mr. Durenberger; Mr. Hatfield; Mr. Heinz; Mr. Huddleston; Mrs. Kassebaum; Mr. Kennedy; Mr. Levin; Mr. Lugar; Mr. Melcher; Mr. Mitchell; Mr. Pell; Mr. Percy; Mr. Pressler; Mr. Proxmire; Mr. Pryor; Mr. Specter; Mr. Stafford; Mr. Tsongas; Mr. Inouye; Mr. Sarbanes; Mr. Boschwitz; and Mr. Chafee.

Signed by the President on October 14, 1981 and became Public Law No. 97-61.

S.J. Res. 103, authorizes and requests the President to designate the week beginning October 4, 1981, as "National Port Week"

Sponsored by Mr. Hollings, was reported by the Senate Committee on the Judiciary, and cosponsored by Mr. Thurmond; Mr. Williams; Mr. Sarbanes; Mr. Stafford; Mr. Tsongas; Mr. Nunn; Mr. Chiles; Mr. Heflin; Mr. Stennis; Mr. Johnston; Mr. Tower; Mr. Matsunaga; Mr. Cochran; Mr. Cranston; Mr. Metzenbaum; Mr. Cannon; Mr. Bradley; Mr. Moynihan; Mr. Long; Mr. Mitchell; Mr. Bentsen; Mr. Inouye; Mr. Biden; Mr. Hayakawa; Mr. Cohen; Mr. East; Mr. Kennedy; Mr. Durenberger; Mr. Denton; Mr. Stevens; Mr. Mathias; Mr. Warner; Mr. Dole; Mr. Packwood; Mr. Helms; and Mr. Murkowski.

Signed by the President on October 2, 1981 and became Public Law No. 97-53.

H.J. Res. 84, requests the President to designate the week of October 4 through October 10, 1981, as "National Diabetes Week"

Measure signed in Senate on July 28, 1981 and signed by the President on August 4, 1981 and became Public Law No. 97-27.

H.J. Res. 141, authorizes and requests the President to designate the week of October 4, 1981, through October 10, 1981, as "National Schoolbus Safety Week"

Reported by the Senate Committee on the Judiciary.

Measure signed in Senate on August 5, 1981 and signed by the President on August 14, 1981 and became Public Law No. 97-36.

H.J. Res. 155, authorizes and requests the President to designate the week of May 3 through May 10, 1981, as "Jewish Heritage Week"

Reported by the Senate Committee on the Judiciary.

Measure signed in Senate on April 29, 1981 and signed by the President on May 1, 1981 and became Public Law No. 97-10.

H.J. Res. 191, requests the President to designate August 8, 1982, as "National Children's Day"

Measure signed in Senate on July 28, 1981 and signed by the President on August 6, 1981 and became Public Law No. 97-29.

PROCLAMATIONS—PASSED SENATE ONLY

H.J. Res. 263, requests the President to designate May 6, 1982, as "National Recognition Day for Nurses"

Reported by the Senate Committee on the Judiciary.

Measure signed in Senate on September 30, 1981 and signed by the President on October 9, 1981 and became Public Law No. 97-57.

S.J. Res. 12, authorizes and requests the President to designate November 14 of each year as "Operating Room Nurses Day"

Sponsored by Mr. Inouye, was reported by the Senate Committee on the Judiciary, and cosponsored by Mr. Matsunaga; Mr. Ford; Mr. Baucus; Mr. Burdick; Mr. Dole; Mr. Domenici; Mr. Grassley; Mr. DeConcini; Mr. Jepsen; Mr. Symms; Mr. Riegle; Mr. Tsongas; Mr. Hatch; Mr. Abdnor; Mr. Bumpers; Mr. Goldwater; Mr. Bentsen;

Mr. Chiles; Mr. Rudman; Mr. Randolph; Mr. Melcher; Mr. Weicker; Mr. Sarbanes; Mr. Leahy; and Mr. Moynihan.

Passed Senate without amendment and an amendment to the Title and with a preamble by Voice Vote, June 25, 1981.

S.J. Res. 20, requests the President to designate the month of April, 1981, as "Gospel Music Month"

Sponsored by Mr. Sasser, was reported by the Senate Committee on the Judiciary, and cosponsored by Mr. Jepsen; Mr. Ford; Mr. Moynihan; Mr. Inouye; Mr. Heflin; Mr. Lugar; Mr. Huddleston; Mr. Riegle; Mr. Nunn; Mr. Cranston; Mr. Levin; Mr. Durenberger; Mr. Randolph; Mrs. Kassebaum; Mr. Williams; Mr. Cochran; Mr. Sarbanes; Mr. DeConcini; Mr. Schmitt; Mr. Pell; Mr. Bumpers; Mr. Helms; Mr. Hatch; Mr. Grassley; Mr. Thurmond; Mr. Baker; and Mr. East.

Passed Senate without amendment by Voice Vote, March 31, 1981.

S.J. Res. 22, authorizes and requests the President to designate March 16 of each year as "Freedom of Information Day"

Sponsored by Mr. Proxmire, was reported by the Senate Committee on the Judiciary, and cosponsored by Mr. Sasser; Mr. Levin; Mr. Abdnor; Mr. Goldwater; Mr. Durenberger; Mr. Chiles; Mr. Ford; Mr. Burdick; Mr. Mitchell; Mr. Riegle; Mr. Lugar; Mr. Dixon; Mr. Matsunaga; Mr. Kasten; Mr. Moynihan; Mr. Melcher; Mr. Byrd, of VA; Mr. Inouye; Mr. Bentsen; Mr. Hatfield; Mr. Boschwitz; Mr. Williams; Mr. Huddleston; Mr. Hatch; Mr Armstrong; Mr. Schmitt; Mr. Nunn; Mr. Garn; Mr. Jepsen; Mr. Exon; Mr. Tsongas; Mr. Roth; Mr. Baucus; Mr. DeConcini; Mr. Leahy; and Mr. Bumpers.

Passed Senate with an amendment and an amendment to the Title and with a preamble by Voice Vote, March 10, 1981.

S.J. Res. 34, amends the joint resolution of October 10, 1980 (requesting the President to designate the week beginning with the third Monday in February 1981 as "National Patriotism Week") to request the President to make such designation annually

Sponsored by Mr. Goldwater, was reported by the Senate Committee on the Judiciary, and cosponsored by Mr. DeConcini; Mr. Abdnor; Mr. Andrews; Mr. Armstrong; Mr. Boren; Mr. Bumpers; Mr. Byrd, of WV; Mr. Byrd, of VA; Mr. Cochran; Mr. Dole; Mr. Durenberger; Mr. Ford; Mr. Garn; Mr. Grassley; Mr. Hatch; Mr. Hollings; Mr. Humphrey; Mr. Inouye; Mr. Jepsen; Mr. Johnston; Mr. Lugar; Mr. Moynihan; Mr. Schmitt; Mr. Stafford; Mr. Stevens; Mr. Symms; Mr. Thurmond; Mr. Wallop; Mr. Williams; Mr. Mattingly; Mr. Sasser; Mr. Laxalt; Mr. Tower; Mr. Melcher; Mr. Randolph; Mr. Cannon; and Mr. Helms.

Passed Senate with amendments and an amendment to the Title by Voice Vote, November 16, 1981.

S.J. Res. 38, requests the President to designate the first Friday of March as "Teacher Day, United States of America"

Sponsored by Mrs. Kassebaum and cosponsored by Mr. Cranston; Mr. Baker; Mr. Burdick; Mr. Williams; Mr. Inouye; Mr. Mathias;

Mr. Hollings; Mr. Heflin; Mr. Domenici; Mr. Levin; Mr. Goldwater; Mr. Chiles; Mr. DeConcini; Mr. Randolph; Mr. Dole; Mr. Baucus; Mr. Nunn; Mr. Pryor; Mr. Abdnor; Mr. Sasser; Mr. Durenberger; Mr. Pell; Mr. Moynihan; Mr. Cannon; Mr. Heinz; Mr. Lugar; Mr. Matsunaga; Mr. Grassley; Mr. Kennedy; Mr. Melcher; Mr. McClure; Mr. Thurmond; Mr. Sarbanes; Mr. Kasten; Mr. Cochran; and Mr. Bumpers.

Passed Senate with amendments and an amendment to the Title and an amendment to the preamble by Voice Vote, March 5, 1981.

S.J. Res. 42, requests the President to designate the third Sunday in September as "National Ministers Day"

Sponsored by Mr. Thurmond, was reported by the Senate Committee on the Judiciary and cosponsored by Mr. Baucus; Mr. Boren; Mr. Byrd, of West Virginia; Mr. Exon; Mr. Ford; Mr. Glenn; Mr. Goldwater; Mr. Jepsen; Mr. Levin; Mr. Long; Mr. Pryor; Mr. Tower; Mr. East; Mr. Cochran; Mr. Laxalt; Mr. Helms; Mr. Hatch; Mr. McClure; Mr. Domenici; Mrs. Hawkins; Mr. Hayakawa; Mr. Dole; Mr. Grassley; Mr. DeConcini; Mr. Moynihan; Mr. Burdick; Mr. Heflin; Mr. Chiles; and Mr. Bumpers.

Passed Senate with an amendment and an amendment to the Title by Voice Vote, July 17, 1981.

S.J. Res. 46, requests the President to designate May 21, 1981, as "United States Tennis Association Day"

Sponsored by Mr. Bradley, was reported by the Senate Committee on the Judiciary and cosponsored by Mr. Weicker; Mr. Johnston; Mr. Biden; Mr. Boren; Mr. Cranston; Mr. DeConcini; Mr. Dixon; Mr. Dodd; Mr. Ford; Mr. Hart; Mr. Jackson; Mr. Levin; Mr. Metzenbaum; Mr. Moynihan; Mr. Pell; Mr. Tsongas; Mr. Williams; Mr. Boschwitz; Mr. Chafee; Mr. D'Amato; Mr. Denton; Mr. Durenberger; Mr. Heinz; Mr. Murkowski; Mr. Rudman; Mr. Stevens; and Mr. Bumpers.

Passed Senate without amendment and with a preamble by Voice Vote, May 8, 1981.

S.J. Res. 47, authorizes and requests the President to designate the week beginning May 10, 1981, as "National Small Business Week"

Sponsored by Mr. Weicker, was reported by the Senate Committee on the Judiciary and cosponsored by Mr. Packwood; Mr. Hatch; Mr. Hayakawa; Mr. Boschwitz; Mr. Gorton; Mr. Nickles; Mr. Rudman; Mr. D'Amato; Mr. Nunn; Mr. Huddleston; Mr. Bumpers; Mr. Sasser; Mr. Baucus; Mr. Levin; Mr. Tsongas; Mr. Dixon; Mr. Bentsen; Mr. Percy; Mr. Durenberger; Mr. Hollings; Mr. Hatfield; Mr. Glenn; Mr. Tower; Mr. Lugar; Mr. Thurmond; and Mr. Jepsen.

Passed Senate without amendment and with a preamble by Voice Vote, May 8, 1981.

S.J. Res. 51, authorizes and requests the President to issue a proclamation observing the thrity-fifth anniversary of CARE (the Cooperative for American Relief Everywhere, Inc.), and designating May 10 to 16, 1981 as "Care Week"

Sponsored by Mr. Dole and cosponsored by Mr. Abdnor; Mr. Baucus; Mr. Burdick; Mr. Chafee; Mr. D'Amato; Mr. Domenici; Mr. Eagleton; Mr. Heflin; Mr. Hollings; Mrs. Kassebaum; Mr. Huddleston; Mr. Inouye; Mr. Kennedy; Mr. Lugar; Mr. Mathias; Mr. Melcher; Mr. Pell; Mr. Roth; Mr. Pressler; Mr. Pryor; Mr. Sarbanes; Mr. Williams; Mr. Thurmond; Mr. Hatfield; Mr. Rudman; and Mr. Riegle.

Passed Senate without amendment and with a preamble by Voice Vote, May 8, 1981.

S.J. Res. 53, requests the President to designate September 6, 1981, as "Working Mothers' Day"

Sponsored by Mrs. Kassebaum, was reported by the Senate Committee on the Judiciary, and cosponsored by Mr. Baucus; Mr. Lugar; Mr. Sarbanes; Mr. Heflin; Mr. Inouye; Mr. Burdick; Mr. Hatfield; Mr. Hollings; Mr. Melcher; Mr. Quayle; Mr. Cohen; Mr. Dole; Mr. Tsongas; Mr. Metzenbaum; Mr. Packwood; Mr. Bradley; Mr. Cranston; Mr. Mathias; Mr. Durenberger; Mr. Kennedy; Mr. Levin; Mr. Williams; Mr. Cannon; Mr. Specter; Mr. Chafee; Mr. Pryor; Mr. Boschwitz; and Mr. Armstrong.

Passed Senate without amendment and with a preamble by Voice Vote, July 31, 1981.

S.J. Res. 57, designates week of February 7 through 13, 1982 as "Schleroderma Week"

Sponsored by Mr. Symms, was reported by the Senate Committee on the Judiciary, and cosponsored by Mr. Abdnor; Mr. Andrews; Mr. Armstrong; Mr. Baker; Mr. Baucus; Mr. Boren; Mr. Boschwitz; Mr. Bradley; Mr. Burdick; Mr. Byrd, of Virginia; Mr. Chafee; Mr. Chiles; Mr. Cranston; Mr. D'Amato; Mr. Danforth; Mr. Denton; Mr. Dixon; Mr. Dodd; Mr. Dole; Mr. Domenici; Mr. Durenberger; Mr. East; Mr. Exon; Mr. Garn; Mr. Grassley; Mr. Hart; Mr. Hatfield; Mrs. Hawkins; Mr. Heflin; Mr. Heinz; Mr. Huddleston; Mr. Jepsen; Mr. Johnston; Mr. Kasten; Mr. Lugar; Mr. Mathias; Mr. McClure; Mr. Melcher; Mr. Mitchell; Mr. Percy; Mr. Pressler; Mr. Quayle; Mr. Randolph; Mr. Riegle; Mr. Roth; Mr. Schmitt; Mr. Stennis; Mr. Thurmond; Mr. Tower; Mr. Weicker; Mr. Williams; and Mr. Zorinsky.

S.J. Res. 59, designates the square dance as the national folk dance of the United States

Sponsored by Mr. Byrd, of West Virginia and cosponsored by Mr. Heflin; Mr. Baucus; Mr. Ford; Mr. Goldwater; Mr. Abdnor; Mr. Boren; Mr. Burdick; Mr. Garn; Mr. Huddleston; Mr. Inouye; Mr. Levin; Mr. Schmitt; Mr. Moynihan; Mr. Nunn; Mr. Dixon; Mr. Dole; Mr. Sasser; Mr. Riegle; Mr. Denton; Mr. Bentsen; Mr. Bumpers; Mr. DeConcini; Mr. Proxmire; Mr. Jackson; Mr. Lugar; Mr. Thurmond; Mr. Baker; Mr. Cranston; Mr. Exon; and Mr. Domenici.

Passed Senate without amendment and with a preamble by Voice Vote, September 23, 1981.

S.J. Res. 60, authorizes and requests the President to designate the week of May 3 through May 9, 1981, as "National Physical Fitness and Sports for All Week"

Sponsored by Mr. Thurmond, was reported by the Senate Committee on the Judiciary, and cosponsored by Mr. Domenici; Mr. Abdnor; Mr. Baucus; Mr. Heflin; Mr. Nunn; Mr. Laxalt; Mr. Hatfield; Mr. Lugar; Mr. Helms; Mr. Grassley; Mr. Symms; Mr. Huddleston; Mr. Bentsen; Mrs. Kassebaum; Mr. Tsongas; Mr. Cranston; Mr. Moynihan; Mr. Sarbanes; Mr. Sasser; Mr. Specter; Mr. Hatch; Mr. Kennedy; Mr. Chafee; Mr. Hayakawa; Mr. Hollings; Mr. Proxmire; Mr. DeConcini; Mr. Denton; Mr. Riegle; Mrs. Hawkins; Mr. Dole; Mr. Wallop; Mr. Andrews; Mr. Leahy; Mr. Garn; Mr. Durenberger; Mr. Metzenbaum; Mr. D'Amato; and Mr. Randolph.

Passed Senate without amendment and with a preamble by Voice Vote, April 27, 1981.

S. J. Res. 67, declares the week of April 19 through 26, 1982, as "National Nurse Midwifery Week"

Sponsored by Mr. Inouye, was reported by the Senate Committee on the Judiciary, and cosponsored by Mr. Baucus; Mr. Burdick; Mr. Chiles; Mr. Cranston; Mr. DeConcini; Mr. Dole; Mr. Domenici; Mr. Ford; Mr. Goldwater; Mr. Hatch; Mrs. Hawkins; Mr. Huddleston; Mr. Kennedy; Mr. Melcher; Mr. Moynihan; Mr. Sarbanes; Mr. Symms; Mr. Tsongas; Mr. Weicker; Mr. Leahy; Mr. Packwood; Mr. Riegle; Mrs. Kassebaum; Mr. Randolph; Mr. Glenn; Mr. Kasten; Mr. Mathias; Mr. Boschwitz; Mr. Williams; and Mr. Bradley.

Passed Senate without amendment and with a preamble by Voice Vote, September 25, 1981.

S. J. Res. 73, requests the President to designate the week of June 1 through June 7, 1981, as "Management Week in America"

Sponsored by Mr. Glenn, was reported by the Senate Committee on the Judiciary, and cosponsored by Mr. Bentsen; Mr. Lugar; Mr. Burdick; Mr. Levin; Mr. Ford; Mr. East; Mr. Gorton; Mr. Helms; Mr. Williams; Mr. Heflin; Mr. Andrews; Mr. Jackson; Mr. Sasser; Mr. Huddleston; Mr. Nunn; Mr. Randolph; Mr. Kasten; Mr. Metzenbaum; Mr. Riegle; Mr. Schmitt; Mr. Grassley; Mr. Armstrong; Mr. Moynihan; Mr. Hayakawa; and Mr. Boren.

Passed Senate with an amendment and an amendment to the Title and an amendment to the preamble by Voice Vote, June 25, 1981.

S.J. Res. 75, authorizes and requests the President to designate the seven calendar days commencing on April 30, 1981, as "National Beta Sigma Phi Week"

Sponored by Mr. Dole and cosponsored by Mr. Abdor; Mr. Boren; Mr. Bumpers; Mr. Cochran; Mr. Cranston; Mr. D'Amato; Mr. East; Mr. Glenn; Mr. Goldwater; Mr. Gorton; Mr. Grassley; Mrs. Hawkins; Mr. Heflin; Mr. Inouye; Mr. Jackson; Mrs. Kassebaum; Mr. Laxalt; Mr. Levin; Mr. Lugar; Mr. Metzenbaum; Mr. Moynihan; Mr. Nunn; Mr. Riegle; Mr. Roth; Mr. Thurmond; and Mr. Williams.

Passed Senate without amendment and with a preamble by Voice Vote, April 29, 1981.

S.J. Res. 79, requests the President to designate the week beginning May 10, 1981, as "Senior Center Week"

Sponsored by Mr. Grassley and cosponsored by Mr. Abdnor; Mr. Bentsen; Mr. Bradley; Mr. Burdick; Mr. Chiles; Mr. Cohen; Mr. D'Amato; Mr. Domenici; Mr. Dodd; Mr. Durenberger; Mr. Glenn; Mr. Hatch; Mr. Heinz; Mr. Humphrey; Mr. Jepsen; Mrs. Kassebaum; Mr. Armstrong; Mr. Laxalt; Mr. Percy; Mr. Pressler; Mr. Pryor; Mr. Schmitt; Mr. Symms; Mr. Thurmond; and Mr. Melcher.

Passed Senate without amendment and with a preamble by Voice Vote, May 12, 1981.

S.J. Res. 80, authorizes and requests the President to designate the week of May 17 through May 23, 1981, as "U.S.O. Week"

Sponsored by Mr. Warner and cosponsored by Mr. Sarbanes; Mr. Glenn; Mr. Durenberger; Mr. Huddleston; Mr. Bentsen; Mr. DeConcini; Mr. Inouye; Mr. Jackson; Mr. Tower; Mr. Randolph; Mr. Stennis; Mr. Cranston; Mr. Ford; Mr. Percy; Mr. Williams; Mr. Danforth; Mr. Roth; Mr. Garn; Mr. Pryor; Mr. Grassley; Mr. Hayakawa; Mr. Simpson; Mr. Dole; Mr. Goldwater; Mr. Denton; Mr. Thurmond; Mr. Lugar; Mr. Byrd, of Virginia; Mr. Boschwitz; Mr. Riegle; Mr. Kasten; Mr. Mathias; Mr. Symms; Mr. Moynihan; Mr. Heflin; Mr. A'Amato; Mr. Burdick; Mr. Stevens; Mr. Chiles; and Mr. Sasser.

Passed Senate without amendment and with a preamble by Voice Vote, May 19, 1981.

S.J. Res. 84, requests the President to designate March 19, 1982, as "National Energy Education Day"

Sponsored by Mr. DeConcini, was reported by the Senate Committee on the Judiciary, and cosponsored by Mr. Bradley; Mr. D'Amato; Mr. Matsunaga; Mr. Pell; Mr. Chafee; Mr. Bensten; Mr. Ford; Mr. Quayle; Mr. Tsongas; Mr. Kasten; Mr. Bumpers; Mr. Moynihan; Mr. Packwood; Mr. Johnston; Mr. Goldwater; Mr. Percy; Mr. Schmitt; Mr. Heinz; Mr. Cranston; Mr. Jackson; Mr. Baker; Mr. Baucus; Mr. Long; Mr. Sasser; Mr. Lugar; Mr. Hollings; and Mr. Mathias.

Passed Senate without amendment and with a preamble by Voice Vote, July 24, 1981.

S.J. Res. 88, requests the President to designate the week commencing June 14, 1981, as "National Softball Week"

Sponsored by Mr. Boren and cosponsored by Mr. Nickles; Mr. Abdnor; Mr. Andrews; Mr. Baucus; Mr. Boschwitz; Mr. Bradley; Mr. Bumpers; Mr. Burdick; Mr. Cannon; Mr. Chiles; Mr. Cranston; Mr. DeConcini; Mr. Denton; Mr. Dixon; Mr. Dodd; Mr. Durenberger; Mr. Eagleton; Mr. Ford; Mr. Garn; Mr. Heflin; Mr. Heinz; Mr. Inouye; Mr. Johnston; Mr. Kennedy; Mr. Laxalt; Mr. Levin; Mr. Long; Mr. Lugar; Mr. Matsunaga; Mr. Leahy; Mr. Pryor; Mr. Riegle; Mr. Sarbanes; Mr. Stennis; Mr. Thurmond; and Mr. Williams.

Passed Senate without amendment and with a preamble by Voice Vote, June 9, 1981.

S.J. Res. 91, requests the President to designate July 1981 as "National Peach Month"

Sponsored by Mr. Thurmond, was reported by the Senate Committee on the Judiciary, and cosponsored by Mr. Hollings; Mr. Nunn; Mr. Mattingly; Mr. East; Mr. Helms; Mr. Quayle; Mr. Denton; Mr. Warner; Mr. Hatch; Mr. Symms; Mr. Roth; Mr. Hayakawa; Mr. Grassley; Mr. Dole; Mr. Specter; Mr. Randolph; Mr. Heflin; Mr. Bumpers; Mr. Pryor; Mr. Huddleston; Mr. Sasser; Mr. Williams; Mr. Johnston; Mr. Sarbanes; Mr. Dixon; Mr. Stennis; Mr. Byrd, of West Virginia; and Mr. Byrd, of Virginia.

Passed Senate without amendment and with a preamble by Voice Vote, June 25, 1981.

S.J. Res. 92, authorizes and requests the President to designate the week of September 6 through September 12, 1981, as "Older Americans Employment Opportunity Week"

Sponsored by Mr. Heinz, was reported by the Senate Committee on the Judiciary, and cosponsored by Mr. Chiles; Mr. Domenici; Mr. Mr. Percy; Mrs. Kassebaum; Mr. Cohen; Mr. Grassley; Mr. Durenberger; Mr. Dole; Mr. Denton; Mr. D'Amato; Mrs. Hawkins; Mr. Quayle; Mr. Pressler; Mr. Cochran; Mr. Danforth; Mr. Glenn; Mr. Melcher; Mr. Pryor; Mr. Bradley; Mr. Burdick; Mr. Dodd; Mr. Williams; Mr. Moynihan; Mr. Baucus; Mr. Cranston; Mr. Ford; Mr. DeConcini; Mr. Sasser; Mr. Bentsen; Mr. Cannon; Mr. Lugar; Mr. Chafee; Mr. Hayakawa; Mr. Hatch; Mr. Mathias; Mr. Inouye; Mr. McClure; Mr. Specter; Mr. Symms; Mr. Warner; Mr. Kasten; Mr. Tsongas; Mr. Sarbanes; Mr. Stennis; Mr. Zorinsky; Mr. Eagleton; and Mr. Kennedy.

Passed Senate without amendment and with a preamble by Voice Vote, July 17, 1981.

S.J. Res. 94, requests the President to designate October 10, 1981, as "National Jogging Day"

Sponsored by Mr. Thurmond, was reported by the Senate Committee on the Judiciary, and cosponsored by Mr. Durenberger; Mr. Schmitt; Mr. Abdnor; Mr. Chafee; Mr. Laxalt; Mr. Cochran; Mr. Stevens; Mr. Gorton; Mr. Dole; Mr. East; Mr. Goldwater; Mr. Danforth; Mr. Helms; Mr. Lugar; Mr. D'Amato; Mr. Specter; Mr. Denton; Mr. Cranston; Mr. DeConcini; Mr. Burdick; Mr. Baucus; Mr. Randolph; Mr. Tsongas; Mr. Johnston; Mr. Pryor; Mr. Moynihan; Mr. Williams; Mr. Proxmire; Mr. Hollings; and Mr. Riegle.

Passed Senate without amendment and with a preamble by Voice Vote, July 24, 1981.

S.J. Res. 101, requests the President to designate the week of October 19 through October 25, 1981, as "National High School Activities Week"

Sponsored by Mr. Dole, was reported by the Senate Committee on the Judiciary, and cosponsored by Mrs. Kassebaum; Mr. Baucus; Mr. Biden; Mr. Burdick; Mr. Cannon; Mr. Cochran; Mr. Danforth; Mr. Heinz; Mr. Hollings; Mr. Inouye; Mr. Leahy; Mr. Levin; Mr. Lugar; Mr. Melcher; Mr. Moynihan; Mr. Nickles; Mr. Pell; Mr. Pryor; Mr. Randolph; Mr. Roth; Mr. Sasser; Mr. Schmitt; Mr.

D'Amato; Mr. Williams; Mr. Chafee; Mr. Tower; and Mr. Huddleston.

Passed Senate without amendment and with a preamble by Voice Vote, September 16, 1981.

S.J. Res. 102, authorizes and requests the President to designate the month of April, 1982, as "Parliamentary Emphasis Month"

Sponsored by Mr. Baker and cosponsored by Mr. Byrd, of West Virginia.

Passed Senate without amendment and with a preamble by Voice Vote, July 29, 1981.

S.J. Res. 105, requests the President to designate the month of October 1981, as "National PTA Membership Month"

Sponsored by Mr. Laxalt, was reported by the Senate Committee on the Judiciary, and cosponsored by Mr. Thurmond; Mr. Cochran; Mr. D'Amato; Mr. Abdnor; Mr. Tower; Mr. Durenberger; Mr. Symms; Mrs. Kassebaum; Mr. Hatfield; Mr. Pressler; Mr. East; Mr. Grassley; Mr. Hatch; Mr. Pryor; Mr. Bumpers; Mr. Moynihan; Mr. Chiles; Mr. Heflin; Mr. Baucus; Mr. Stennis; Mr. Dixon; Mr. Burdick; Mr. Melcher; Mr. Hollings; Mr. Cannon; Mr. Jackson; Mr. Dole; Mr. Kasten; Mr. Mathias; Mr. Denton; Mr. Cranston; Mr. Johnston; and Mr. Bentsen.

Passed Senate without amendment and with a preamble by Voice Vote, September 16, 1981.

S.J. Res. 107, requests the President to designate October 7 of each year as "National Guard Day"

Sponsored by Mr. Byrd of West Virginia, was reported by the Senate Committee on the Judiciary, and cosponsored by Mr. Sasser; Mr. Chiles; Mr. Baucus; Mr. Pryor; Mr. Hart; Mr. Mitchell; Mr. Sarbanes; Mr. Dodd; Mr. Abdnor; Mr. Bumpers; Mr. Burdick; Mr. Cohen; Mr. Domenici; Mr. Chafee; Mr. Cochran; Mr. Dixon; Mr. Tsongas; Mr. Hollings; Mr. Randolph; Mr. Bentsen; Mr. Melcher; Mr. Nunn; Mr. Baker; Mr. Humphrey; Mr. Thurmond; Mr. Andrews; Mr. Cannon; Mr. Denton; Mr. Durenberger; Mr. Ford; Mr. Inouye; Mr. Kasten; Mr. Stennis; Mr. Roth; Mr. Boren; Mr. Eagleton; Mr. Heflin; Mr. Goldwater; Mr. Tower; Mr. Stafford; Mr. East; Mr. Johnston; Mr. Warner; and Mr. Pressler.

Passed Senate with an amendment and with a preamble by Voice Vote, September 25, 1981.

S.J. Res. 113, designates the week beginning November 8, 1981, as "National Home Health Care Week"

Sponsored by Mr. Hatch, was reported by the Senate Committee on the Judiciary, and cosponsored by Mr. Chiles; Mr. Pryor; Mr. Bentsen; Mr. Cohen; Mr. Baucus; Mr. Bradley; Mr. Burdick; Mr. D'Amato; Mr. Dixon; Mr. Dole; Mr. Garn; Mr. Glenn; Mr. Hatfield; Mrs. Hawkins; Mr. Heinz; Mr. Humphrey; Mr. Inouye; Mr. Kennedy; Mr. Kasten; Mr. Leahy; Mr. Mattingly; Mr. Melcher; Mr. Pell; Mr. Packwood; Mr. Riegle; Mr. Sasser; Mr. Specter; Mr. Stennis; Mr. Symms; Mr. Tsongas; Mr. Zorinsky; Mr. Denton; Mrs. Kassebaum; Mr. Abdnor; Mr. Moynihan; and Mr. Nunn.

Passed Senate without amendment and with a preamble by Voice Vote, October 30, 1981.

S.J. Res. 117, authorizes and requests the President to designate the week of January 17, 1982, through January 23, 1982, as "National Jaycee Week"

Sponsored by Mr. Boren, was reported by the Senate Committee on the Judiciary, and cosponsored by Mr. Andrews; Mr. Boschwitz; Mr. Cannon; Mr. Chiles; Mr. Exon; Mr. Ford; Mr. Goldwater; Mr. Heflin; Mr. Hollings; Mr. Huddleston; Mr. Inouye; Mr. Johnston; Mr. Lugar; Mr. Mattingly; Mr. Matsunaga; Mr. Pressler; Mr. Pryor; Mr. Randolph; Mr. Schmitt; Mr. Williams; Mr. Burdick; Mr. Nickles; Mr. Nunn; Mr. Thurmond; Mr. Danforth; and Mr. Denton.
Passed Senate by Voice Vote, December 16, 1981.

S.J. Res. 118, designates the month of January, 1982, as "National Cerebral Palesy Month"

Sponsored by Mr. Bentsen, was reported by the Senate Committee on the Judiciary and cosponsored by Mr. Sarbanes; Mr. Burdick; Mr. Nunn; Mr. Williams; Mr. Bumpers; Mr. Kennedy; Mr. Hollings; Mr. Exon; Mr. Dixon; Mr. Randolph; Mr. Ford; Mr. Chafee; Mr. Lugar; Mr. Durenberger; Mr. Tower; Mr. D'Amato; Mr. Heinz; Mr. Humphr[illegible]r. Moynihan; Mr. Metzenbaum; Mr. Pryor; Mr. Cranston; Mr. Specter; Mr. Symms; Mr. McClure; and Mr. Mattingly. Mr. Mattingly.
Passed Senate on December 15, 1981.

S.J. Res. 121, designates the year 1982 as the "Bicentennial Year of the American Bald Eagle," and designates June 20, 1982, as "National Bald Eagle Day"

Sponsored by Mr. Chafee, was reported by the Senate Committee on the Judiciary, and cosponsored by Mr. Mitchell; Mr. Heflin; Mr. Bumpers; Mr. Lugar; Mr. DeConcini; Mr. Baucus; Mr. Riegle; Mr. Dixon; Mr. Kasten; Mr. Tsongas; Mr. Hart; Mr. Proxmire; Mr. Randolph; Mr. Stafford; Mr. Huddleston; Mr. Eagleton; Mr. Cranston; Mr. Sasser; Mr. Leahy; Mr. Kennedy; Mr. Glenn; Mr. Gorton; Mr. Percy; Mr. Durenberger; Mr. Cohen; Mr. Boschwitz; Mr. Abdnor; Mr. Boren; Mr. Bentsen; Mr. Ford; Mr. Byrd, of Virginia; Mr. Williams; Mr. Exon; Mr. Jepsen; Mr. Zorinsky; Mr. Sarbanes; Mr. Johnston; Mr. Grassley; Mr. Heinz; Mr. Danforth; Mr. Schmitt; Mr. Pryor; Mr. Thurmond; Mr. Hollings; Mr. D'Amato; and Mr. Nunn.
Passed Senate on December 15, 1981.

S.J. Res. 122, authorizes and requests the President to designate the week of February 28, 1982, through March 6, 1982, as "National Construction Industry Week"

Sponsored by Mr. Hatch, was reported by the Senate Committee on Judiciary, and cosponsored by Mr. Pryor; Mr. Baucus; Mr. Chiles; Mr. D'Amato; Mr. Domenici; Mr. Durenberger; Mr. Hollings; Mr. Levin; Mr. Moynihan; Mr. Specter; Mr. Williams; Mr. Nunn; Mr. East; Mr. Weicker; Mr. Symms; Mr. Goldwater; Mr. Helms; Mr. Randolph; Mr. Sarbanes; Mr. Simpson; Mr. Laxalt; and Mr. Thurmond.

Passed Senate with an amendment by Voice Vote, December 4, 1981.

S.J. Res. 123, authorizes and requests the president to designate the week of November 7, 1982, as "National Disabled Veterans Week"

Sponsored by Mr. Hayakawa, was reported by the Senate Committee on Judiciary, and cosponsored by Mr. Dole; Mr. East; Mr. Inouye; Mr. Kennedy; Mr. Sarbanes; Mr. Huddleston; Mr. Moynihan; Mr. Bradley; Mr. Domenici; Mr. Goldwater; Mr. Quayle; Mr. Sasser; Mr. Warner; Mr. Melcher; Mr. Eagleton; Mr. Exon; Mr. Percy; Mr. Schmitt; Mr. Levin; Mr. Long; Mr. Ford; Mr. Denton; Mr. Riegle; Mr. Murkowski; Mr. Durenberger; Mr. Armstrong; Mr. Lugar; Mr. Andrews; Mr. Tower; Mr. Baucus; Mr. Wallop; Mr. Holling; Mr. Kasten; Mr. Chiles; Mr. Cochran; Mr. Cohen; Mr. Pryor; Mr. Heinz; Mr. Thurmond; Mr. Cannon; and Mr. Garn.

Passed Senate on December 11, 1981.

S.J. Res. 134, designates 1982 as the "Year of Disabled Persons"

Sponsored by Mr. Armstrong, was reported by the Senate Committee on Judiciary, and cosponsored by Mr. Riegle; Mr. Andrews; Mr. Baucus; Mr. Boschwitz; Mr. Burdick; Mr. D'Amato; Mr. Dixon, of Illinois; Mr. Durenberger; Mr. Hatfield; Mr. Heinz; Mr. Inouye; Mr. Johnston; Mr. Levin; Mr. McClure; Mr. Mitchell, of Maine; Mr. Moynihan; Mr. Nunn; Mr. Pell; Mr. Randolph; Mr. Sarbanes; Mr. Sasser; Mr. Stafford; Mr. Tsongas; Mr. Wallop; Mr. Weicker; Mr. Williams; Mr. Zorinsky; Mr. Garn; Mr. Cranston; Mr. Denton; Mr. Leahy; Mr. Kennedy; Mr. East; Mr. Matsunaga; Mr. Thurmond; Mr. Metzenbaum; and Mr. Pryor.

Passed Senate by Voice Vote, December 16, 1981.

MEDALS

H.J. Res. 223, directs the President to award a special gold medal to Fred Waring

Reported by the Senate Committee on Banking, Housing, and Urban Affairs.

Passed Senate with amendments and an amendment to the Title and with a preamble by Voice Vote, September 14, 1981.

CITIZENSHIP GRANTS

S.J. Res. 55, directs the President to declare Douglas Clyde Macintosh an honorary U.S. citizen (posthumously)

Sponsored by Mr. Danforth, and cosponsored by Mr. Weicker, Mr. Dodd, and Mr. Hart.

Passed Senate without amendment and with a preamble by Voice Vote, March 24, 1981.

S. 896, Designates Control Tower at Memphis International Airport as Amile Tower

Sponsored by Mr. Baker, was reported by the Senate Committee on Commerce, Science and Transportation, and cosponsored by Mr. Sasser.

Passed Senate on May 6, 1981.

S. 1230, Olympic Coin Act of 1981

Sets forth the purposes of this Act as: (1) to provide for the minting of coins to commemorate the 1984 Los Angeles Olympic Games; and (2) to help finance those games without the use of tax revenues.

Directs the Secretary of the Treasury to mint: (1) not more than 30,000,000 copper-nickel clad coins with a face value of one dollar; (2) not more than 22,400,000 silver coins with a face value of ten dollars; (3) not more than 2,400,000 gold coins with a face value of fifty dollars; and (4) not more than 1,600,000 gold coins with a face value of one hundred dollars.

Specifies the size and weight of such coins. Specifies that the designs of such coins shall be determined by the Secretary in consultation with the Los Angeles Olympic Organizing Committee. Sets certain minting specifications for such coins.

Authorizes the Secretary to enter into an agreement with the Los Angeles Olympic Organizing Committee which shall provide for the implementation of the purposes of this Act.

Directs the Secretary to furnish such coins to the Los Angeles Olympic Organizing Committee at a price agreed to pursuant to such implementation agreement. Provides that all coins minted shall be delivered to the Los Angeles Olympic Organizing Committee for distribution and sale to the public in accordance with the terms of the implementation agreement. Sets the delivery date for each series of coins.

Provides that all proceeds received by the Los Angeles Olympic Organizing Committee from the commercial sale of such coins shall be used for the purpose of staging and promoting the 1984 Los Angeles Olympic Games and assisting the U.S. Olympic Committee and amateur athletics.

Provides that all coins authorized by this Act shall be legal tender. Directs that no coins shall be minted pursuant to this Act after December 31, 1984.

Sponsored by Mr. Cranston, was reported by the Senate Committee on Banking, Housing, and Urban Affairs, and cosponsored by Mr. Garn; Mr. Hayakawa; Mr. Riegle; Mr. Heinz; Mr. Stevens; Mr. Laxalt; Mr. Tower; Mr. Schmitt; Mr. Levin; Mr. Proxmire; Mr. Leahy; Mr. Chafee; Mr. Hart; Mr. Lugar; Mr. Jackson; Mr. Durenberger; Mr. Simpson; Mrs. Kassebaum; Mr. Inouye; Mr. Hollings; and Mr. Cannon.

Passed Senate, amended on December 9, 1981.

S. 1322, designates as the Robey Wentworth Harned Laboratory the United States Department of Agriculture Boll Weevil Research Laboratory in Starkville, Mississippi

Sponsored by Mr. Cochran, was reported by the Senate Committee on Agriculture, Nutrition, and Forestry, and cosponsored by Mr. Stennis.

Measure passed Senate, amended on November 9, 1981.

Became Public Law No. 97-77, November 13, 1981.

S. 1672

Increases the membership of the United States Holocaust Memorial Council from 60 to 65. Authorizes three additional staff employees. Authorizes pay for such employees without regard to the GS schedule.

Sponsored by Mr. Boschwitz, was reported by the Senate Committee on the Judiciary.

Measure passed Senate amended on October 7, 1981.

Became Public Law No. 97-84, November 20, 1981.

H.R. 2494, designates the John Archibald Campbell Federal Building—United States Courthouse in Mobile, Alabama

Passed Senate by Voice Vote, December 16, 1981.

H.R. 3484, George Washington Commemorative Coin Act

Amends the Coinage Act of 1965 to provide for the minting of not less than ten million half-dollar coins with a design emblematic of the two hundred and fiftieth anniversary of the birth of George Washington.

Specifies the size and weight of such coins. Specifies certain inscriptions to be placed on such coins.

Provides that such coins shall be sold to the public at a price equal to the cost of minting and distribution plus a surcharge of not more than 20 percent. Directs that an amount equal to all surcharges collected shall be used for the sole purpose of reducing the national debt.

Directs that no such coins shall be minted after December 31, 1983.

Authorizes appropriations.

Reported by the Senate Committee on Banking, Housing, and Urban Affairs.

Passed Senate on December 9, 1981.

H.R. 4431, directs the Postmaster General to designate the post office in Forestville, Maryland, as the E. Michael Roll Post Office

Reported by the Senate Committee on Governmental Affairs.

Passed Senate on December 15, 1981.

H.R. 4506, designates the lock and dam authorized to replace locks and dam 26, Mississippi River, Alton, Illinois, as "Melvin Price Lock and Dam"

Passed Senate on December 16, 1981.

H.R. 4734, grants a Federal charter to the Italian American War Veterans of the United States

Reported by the Senate Committee on the Judiciary.

Passed Senate without amendment by Voice Vote, November 10, 1981. Signed by the President on November 20, 1981 and became Public Law No. 97-82.

H.R. 4845, designates the Lincoln, Nebraska, Federal Building as the Robert V. Denney Federal Building and Courthouse

Passed Senate on December 11, 1981.

H. Con. Res. 120, commends the American Red Cross upon its one hundredth anniversary

Agreed to in Senate without amendment and with a preamble by Voice Vote, May 21, 1981.

H. Con. Res. 220, commemorates the 100th anniversary of F.D.R.'s birthday

Establishes a Special Joint Committee on the Centennial of the Birth of Franklin Delano Roosevelt. Directs that such committee be composed of sixteen Members of the Congress.

Directs such committee to: (1) make arrangements for a joint meeting of the Congress on January 27, 1982, or such other day as may be designated by the speaker; (2) plan the proceedings of and issue invitations for such joint meeting; and (3) coordinate its arrangements with the activities of such organizations as it deems appropriate which have been established to observe such centennial.

Provides that the expenses of such committee shall not exceed a specified amount and shall be paid from the contingent fund of the House of Representatives.

Passed Senate on November 24, 1981.

COMMENDATIONS

S. Res. 252, honors Paul W. "Bear" Bryant

Commends Paul W. "Bear" Bryant for his achievements in, and contributions to, college athletics in the United States.

Sponsored by Mr. Heflin, and cosponsored by Mr. Denton; Mr. Bumpers; Mr. Pryor; Mr. Mathias; Mr. Sarbanes; Mr. Ford; Mr. Huddleston; Mr. Tower; Mr. Bentsen; Mr. Mattingly; and Mr. Randolph.

Passed Senate without amendment and with a preamble by Voice Vote, on December 4, 1981.

NATURAL RESOURCE MANAGEMENT—HISTORIC SITES

S. 736, Lacey Act Amendments of 1981

Repeals provisions of Federal law prohibiting commerce in wildlife and fish (the Lacey and Black Bass Acts). Sets forth prohibitions against trade in any fish or wildlife taken or possessed in violation of Federal, Indian tribal, State, or foreign law. Adds a new prohibition against trade in plants which are subject to State conservation of species laws.

Increases the maximum civil penalties for violations of $10,000 (currently, $5,000 under the Lacey Act and $200 under the Black Bass Act).

Establishes a strict liability penalty of up to $250 for transporting fish or wildlife in violation of the labeling requirements.

Subjects to felony penalties the importation or exportation of fish, wildlife, or plants in violation of this Act or any other violation involving sale of fish, wildlife, or plants with a market value exceeding $350. Requires that the defendant knew the conduct violated an underlying law, treaty, or regulation.

Subjects to misdemeanor penalties the violation of any provision of this Act by a person who in the exercise of due care should know that his conduct violated any underlying law, treaty, or regulation.

Stipulates that an offense shall be deemed to have been committed in any district in which the defendant may have taken or possessed the fish, wildlife, or plants.

Subjects all fish, wildlife, or plants traded in violation of this Act to forfeiture to the United States, regardless of the culpability requirements for civil penalties or criminal prosecution. Stipulates that vehicles and equipment shall be subject to forfeiture only if the owner was a consenting party to the illegal act or in the exercise of due care should have known that the vessel, vehicle, aircraft, or equipment would be used in a criminal violation.

Authorizes the Secretaries of the Treasury, the Interior, Commerce, and Transportation to utilize by agreement the personnel and facilities of any Federal or State agency or Indian tribe to enforce this Act.

Permits any person authorized to enforce this Act to carry firearms, make an arrest without a warrant on reasonable grounds (with a certain exception), execute and serve warrants, detain and inspect a vehicle or package upon entering or prior to leaving the United States, or hold a seized item pending the disposition of proceedings.

Directs that, beginning in fiscal year 1982, the Secretaries of the Interior, the Treasury, or Commerce shall pay rewards to persons who furnish information leading to a conviction, assessment, or forfeiture for violations of this Act.

Directs the Secretaries of the Interior and Commerce to promulgate jointly regulations to implement the labeling requirements of this Act (governing packages containing fish or wildlife in interstate or foreign commerce) in accordance with existing commercial practices.

Grants jurisdiction to the Federal district courts for actions arising under this Act.

Transfers from the Secretary of the Treasury to the Secretary of the Interior the authority to prescribe requirements and issue permits for the importation of wild animals and birds under humane and healthful conditions.

Amends the Endangered Species Act of 1973 to direct the payment of rewards for information leading to a conviction, assessment or forfeiture (currently, such payments are discretionary).

Sponsored by Mr. Chafee, was reported by the Senate Committee on Environment and Public Works, and cosponsored by Mr. Baker; Mr. Stafford; Mr. Randolph; Mr. DeConcini; Mr. Gorton; Mr. Mc-

Clure; Mr. Moynihan; Mr. Tsongas; Mr. Wallop; Mr. Pell; Mr. Cranston; Mr. Mathias; Mr. Hayakawa; and Mr. Melcher.

The Senate agreed to the following amendments:

S. Amdt. No. 109, to eliminate a mandatory second offender felony provision and for other purposes, sponsored by Mr. Chafee, and joined by Mr. Baker and Mr. McClure.

S. Up. Amdt. No. 293, technical amendments, sponsored by Mr. Chafee, and joined by Mr. Baker and Mr. Thurmond.

Signed by the President on November 16, 1981 and became Public Law No. 97-79.

S. 1493, amends the Flood Control Act of 1965 to deauthorize specified projects within the jurisdiction of the Army Corps of engineers

Sponsored by Mr. Abdnor, was reported by the Senate Committee on Environment and Public Works, and cosponsored by Mr. Moynihan and Mr. Quayle.

Passed Senate with amendments by Voice Vote, November 18, 1981.

H.R. 779, authorizes the Secretary of the Army to contract with the Tarrant County Water Control and Improvement District and the city of Weatherford, Texas, for the use of water supply storage in Benbrook Reservoir

Passed Senate with amendment on December 16, 1981.

H.R. 2218, provides for an exchange of lands between Douglas County, Nevada, and the Secretary of Agriculture. Requires lands conveyed to the Secretary to be added to the Toiyabe National Forest

Reported by the Senate Committee on Energy and Natural Resources.

Measure signed in Senate on September 24, 1981 and signed by the President on October 6, 1981 and became Public Law No. 97-56.

H.R. 4591, amends the Mineral Leasing for Acquired Lands Act to require receipts received from leases on lands acquired for military or naval purposes, except the naval petroleum reserves and national oil shale reserves, to be paid into the Treasury of the United States and disposed of in the same manner as similar receipts under the Mineral Leasing Act of 1920

Passed Senate without amendment by Voice Vote, December 1, 1981.

HISTORICAL SITES

S. 146, authorizes the Secretary of the Interior to assist in the preservation of historic Camden, South Carolina

Sponsored by Mr. Thurmond, was reported by the Senate Committee on Energy and Natural Resources, and cosponsored by Mr. Hollings.

Passed Senate with an amendment by Voice Vote, October 21, 1981.

NATIONAL FORESTS

S. 188, directs the Secretary of Agriculture to convey certain described real property to a named individual upon payment of the fair market value. Provides that the United States shall retain its interest in all mineral deposits as may be found in such lands

Sponsored by Mr. Melcher, was reported by the Senate Committee on Energy and Natural Resources.

Passed Senate with an amendment by Voice Vote, October 21, 1981.

S. 764, directs the Secretary of Agriculture to provide for the protection and maintenance of the John Sack cabin in the Targhee National Forest, Idaho

Sponsored by Mr. McClure, was reported by the Senate Committee on Energy and Natural Resources, and cosponsored by Mr. Symms.

Passed Senate without amendment by Voice Vote, September 22, 1981.

NATIONAL PARKS

S. 1119, revises the boundary of Crater Lake National Park in Oregon

Sponsored by Mr. Hatfield, was reported by the Senate Committee on Energy and Natural Resources.

Passed Senate without amendment by Voice Vote, October 21, 1981.

WILDERNESS

H.R. 2241, directs the Secretary of the Interior to establish the Bandon Marsh National Wildlife Refuge in Oregon. Permits the Secretary to utilize such additional statutory authority as may be available for: (1) the development of outdoor recreation opportunities compatible with the wildlife resources of the refuge; and (2) interpretive education. Authorizes appropriations

Passed Senate by Voice Vote, December 16, 1981.

SENATE

S. 272, increases the membership of the Joint Committee on Printing

Sponsored by Mr. Mathias.

Signed by the President on February 17, 1981 and became Public Law No. 97-4.

S. 1123, amends the Supplemental Appropriations Act, 1973, to include additional office equipment expenses among the official expenses of a Senator to be paid from the contingent fund of the Senate

Sponsored by Mr. Mathias.

Signed by the President on July 6, 1981 and became Public Law No. 97-19.

S. 1124, authorizes the Sergeant at Arms and Doorkeeper of the Senate to enter into contracts which provide for advance payments for computer programming services

Sponsored by Mr. Mathias.

Signed by the President on July 6, 1981 and became Public Law No. 97-20.

RESOLUTIONS

S. Res. 133, expresses the deep concern of the Senate over the attack on His Holiness Pope John Paul II and to offer prayers for his recovery

Sponsored by Mr. Domenici and cosponsored by Mr. Kennedy; Mr. Stevens; Mr. Abdnor; Mr. Andrews; Mr. Armstrong; Mr. Baker; Mr. Baucus; Mr. Bentsen; Mr. Biden; Mr. Boren; Mr. Boschwitz; Mr. Bradley; Mr. Bumpers; Mr. Burdick; Mr. Byrd, of Virginia; Mr. Byrd, of West Virginia; Mr. Cannon; Mr. Chafee; Mr. Chiles; Mr. Cochran; Mr. Cohen; Mr. Cranston; Mr. D'Amato; Mr. Danforth; Mr. DeConcini; Mr. Denton; Mr. Dixon; Mr. Dodd; Mr. Dole; Mr. Durenberger; Mr. Eagleton; Mr. Exon; Mr. East; Mr. Ford; Mr. Garn; Mr. Glenn; Mr. Goldwater; Mr. Gorton; Mr. Grassley; Mr. Hart; Mr. Hatch; Mr. Hatfield; Mrs. Hawkins; Mr. Hayakawa; Mr. Heflin; Mr. Heinz; Mr. Helms; Mr. Hollings; Mr. Huddleston; Mr. Humphrey; Mr. Inouye; Mr. Jackson; Mr. Jepsen; Mr. Johnston; Mrs. Kassebaum; Mr. Kasten; Mr. Nickles; Mr. Laxalt; Mr. Leahy; Mr. Levin; Mr. Long; Mr. Lugar; Mr. Mathias; Mr. Matsunaga; Mr. Mattingly; Mr. McClure; Mr. Melcher; Mr. Metzenbaum; Mr. Mitchell; Mr. Moynihan; Mr. Murkowski; Mr. Nunn; Mr. Packwood; Mr. Pell; Mr. Percy; Mr. Pressler; Mr. Proxmire; Mr. Pryor; Mr. Quayle; Mr. Randolph; Mr. Riegle; Mr. Roth; Mr. Sarbanes; Mr. Sasser; Mr. Schmitt; Mr. Simpson; Mr. Specter; Mr. Stafford; Mr. Stennis; Mr. Symms; Mr. Thurmond; Mr. Tower; Mr. Tsongas; Mr. Wallop; Mr. Warner; Mr. Weicker; Mr. Williams; Mr. Zorinsky; and Mr. Rudman.

Agreed to in Senate without amendment and with a preamble by Voice Vote, May 13, 1981.

S. Res. 244, increases the limitation on expenditures by the Special Committee on Aging for the procurement of consultants

Sponsored by Mr. Heinz.

Agreed to in Senate without amendment by Voice Vote, December 15, 1981.

S. Res. 254, authorizes printing of "Enactment of a Law and Other Aspects of the Legislative Branch of Government," as a Senate document

Sponsored by Mr. Baker.

Passed Senate on December 4, 1981.

S. Res. 265, authorizes testimony by Roy C. Myers, and representation by the Senate Legal Counsel in the case of William P. Tavoulareas et al v. The Washington Post Co., et al, and William P. Tavoulareas, et al v. Philip Piro

Passed Senate on December 15, 1981.

S. Con. Res. 56, authorizes the reprinting of the committee report entitled "Investigation of Senator Harrison A. Williams, Jr."

Sponsored by Mr. Wallop.
Passed Senate by Voice Vote, December 16, 1981.

SOCIAL SERVICES—WELFARE

S. 1007, Food Stamp and Commodity Distribution Amendments of 1981

Title I: Major Food Stamp Revisions.—Amends the Food Stamp Act of 1977 to provide for an adjustment in costs of the thrifty food plan every 15 months beginning April 1, 1982, until October 1, 1984, and thereafter each October 1.

Makes the household income eligibility standard 130 percent of the nonfarm income poverty guidelines prescribed by the Office of Management and Budget. Exempts from such standard households containing a member who is 60 years of age or over or containing a member who is receiving supplemental security income benefits or disability payments under the Social Security Act.

Increases the standard deduction in computing income for eligible households and the excess shelter expense deduction for such households. Eliminates the semi-annual adjustment of such deduction.

Reduces the earned income deduction from 20 percent to 15 percent for certain households.

Revises retrospective accounting procedures to calculate income for households that derive their income in a period shorter than a year. Provides that certain household income, as of October 1, 1983, be calculated on a basis of anticipated income.

Exempts migrant farmworker households from periodic income reporting requirements. Provides that all other households which fail to submit such report shall not receive an allotment for the period covered by such report.

Repeals existing provisions of law which increased dependent care deductions for working adults and medical deductions for the elderly and disabled.

Title II: Other Food Stamp Program Cost Reductions.—Provides that parents and children who live together shall be treated as one household, unless one parent is 60 years of age or older.

Excludes from certain food stamp eligibility: (1) boarders (one who lives with others or pays compensation to others for meals); (2) participants in drug addiction or alcoholic treatment and rehabilitation programs; (3) disabled or blind recipients of Social Security benefits; and (4) certain Alaska households with respect to specified equipment used to procure food by hunting, and fishing.

Declares that sources of income that are excluded from household income for purposes of the food stamp program are those sources determined by Federal law.

Sets forth eligibility criteria for sponsored aliens under the food stamp program.

Prohibits any household from receiving increased allotments as a result of any household member being on strike.

Makes households ineligible for assistance if certain members refuse to register for employment at the time of application and every 12 (formerly six) months thereafter.

Makes households ineligible for food stamp assistance where the heads of such households voluntarily quit work for a period of 90 days, whether or not such household was eligible for assistance immediately prior to such unemployment. Provides that any person exempted from work requirements under the food stamp program because of compliance with work requirements under the Social Security Act, shall be held non-exempt under such program for noncompliance under such Act.

Exempts a parent with the responsibility for the care of a child under the age of six (formerly twelve) from the work requirements of the Food Stamp Act of 1977. Prohibits all eligible members of a household from refusing employment under a workfare program or other such public employer without good cause or exemption under such Act.

Authorizes State agencies to establish and carry out workfare programs, in accordance with provisions of this Act and regulations issued by the Secretary of Agriculture, to provide employment to enable households to satisfy the work requirements of this Act. Provides that compensation for such employment shall consist of the allotment to which the household is entitled. Sets forth procedures and criteria for embodiment in such regulations and penalties for households which refuse employment under workfare programs. Directs the Secretary to pay 50 percent of all administrative costs involved in such programs and to evaluate such programs, at least annually, to determine their effectiveness in reducing the need for food stamp benefits.

Authorizes the prorating of the first month of food stamp benefits and eliminates outreach services under the Food Stamp Act of 1977.

Revises procedures for State agencies to grant expedited services for households in immediate need for food stamps, including verification of such a household's income.

Authorizes the Secretary to waive claims arising under provisions of the Food Stamp Act of 1977 and to reduce amounts due any State agency for collecting unpaid claims assessed against it when such agency has exhausted its appeal rights under such Act.

Provides a procedure for the collection of claims against a household arising from an overissuance of coupons by the reduction of monthly allotments, or repayment in cash.

Title III: Strengthening Penalties For Fraud and Abuse; Improving Administrative Procedure.—Provides that retail food stores do not include establishments which sell alcoholic beverages for consumption on the premises other than certain specified types of establishments.

Provides that, with respect to cost adjustments in the thrifty food plan for the state of Alaska, Alaska means both urban and rural Alaska.

Disallows, in computing household income, deductions for expenses paid by a third party on behalf of a household.

Eliminates provisions of the Food Stamp Act of 1977 requiring the Secretary to follow regulations in force as of June 1, 1977, when prescribing the types and allowable amounts of financial resources an eligible household may own.

Increases eligibility disqualification periods for fraud and misrepresentation. Provides for permanent disqualification from the food stamp program for the third occasion of any such adjudication.

Disallows food stamp coupon users from receiving cash for change from food purchases.

Makes State agencies liable to the Secretary of Agriculture for the loss of coupons issued through the mail to the extent provided by this Act.

Repeals the prohibition against the reduction of State or local public assistance to an individual because of receipt of food stamp allotments.

Directs approved retail food stores to display a sign providing information on how persons may report abuses in the operation of the food stamp program.

Requires that application forms for food stamp assistance inform the applicant that any information provided is subject to verification by Federal, State, and local officials. Declares that food stamps may be denied to any applicant who knowingly provides incorrect information.

Repeals the 60-day transfer of certification for eligible households which move from one political subdivision to another.

Authorizes the Secretary to replace coupons stolen or destroyed after receipt by a household for any one month during a six-month period. Prohibits replacement of coupons to households who lost or misplaced such coupons.

Authorizes State agencies to allow State and local law enforcement officials access to applicant information for the purpose of investigating possible violations of the food stamp program.

Authorizes State agencies with a written statement from a household containing information that requires reduction or termination of such household's benefits, to reduce or terminate such benefits immediately prior to an administrative hearing.

Directs State agencies to restore food stamp benefits promptly upon the request of households, or other such notification, when such benefits were wrongfully denied or terminated, except in cases where such denial occurred more than one year before such notification.

Authorizes State agencies to utilize unemployment and social security information to the extent permitted under the Social Security Act.

Amends the Food Stamp Act Amendments of 1980 to change the effective date for disclosure of internal revenue returns information by the Social Security Administration, the Department of Agriculture, and State food stamp agencies from January 1, 1982, to January 1, 1983.

Eliminates the requirement that the Secretary supplement the nutrition education program with printed materials designed for persons with low reading and comprehension levels.

Provides minimum mandatory sentences for violations of the Food Stamp Act of 1977, including a work restitution program.

Eliminates the requirement for the Secretary to establish staffing standards for State agencies.

Provides for an increase in the federally funded share of administrative costs to State agencies whose quality control programs result in less than the nationwide percentage of errors.

Requires certain household members to furnish their social security numbers to State agencies for the administration of the food stamp program.

Makes households in which all of the members are recipients of aid to families with dependent children (AFDC) under the Social Security Act eligible for cash payments in the value of allotments to which such households are entitled.

Directs the Secretary to evaluate the feasibility, benefits, and disadvantages of adjusting household allotments with respect to the age and sex of household members including an evaluation of the individualized allotment issues and conclusions in a certain report made by the General Accounting Office on June 13, 1978. Requires the Secretary to submit the results of such evaluation to the Congress no later than July 1, 1982.

Terminates the requirement for the Secretary to report annually to the Congress on the effect of eliminating fee charges for food stamp allotments.

Eliminates the requirement for reports by: (1) the Secretary of Agriculture on the feasibility of recovering excessive food stamp benefits through Federal income tax data; and (2) the Director of the Congressional Budget Office on the review of the various consumer price indexes.

Authorizes the Secretary of Agriculture to conduct two pilot projects in which households that consist entirely of recipients of aid to families with dependent children and recipients of supplemental security income under the Social Security Act, whose income does not exceed certain nonfarm income poverty guidelines, shall be deemed to have satisfied application requirements prescribed by this Act.

Title IV: Authorization for Appropriations; Appropriation Accounts; Effective Dates.—Increases the amount of appropriations not to be exceeded for fiscal year 1981, and sets forth such amounts for fiscal years 1982 through 1985.

Directs that funds collected from claims arising under the Food Stamp Act of 1977 be credited to the food stamp appropriation account for the fiscal year in which the collection occurs. Directs that funds provided to State agencies for administrative cost-sharing be paid from such account.

Makes amendments made by this Act effective upon such dates as prescribed by the Secretary, except appropriation amendments which are effective upon enactment of such Act.

Title V: Commodity Distribution Programs.—Amends the Agricultural Consumer Protection Act of 1973 to extend the authority of the Secretary to purchase and distribute agricultural commodities for food assistance programs for fiscal years 1982 through 1985. Sets forth penalties for fraud under such Act.

Title VI: Food Stamp Cash-Out of SSI Recipients.—Directs the Secretary, upon the request of a State, to find that such State's cash payments under the Social Security Act have been specifically increased to include the bonus value of food stamps, for purposes of determining food stamp eligibility for supplemental security income recipients.

Title VII: Puerto Rico.—Makes the income standards for food stamp eligibility in Puerto Rico 55 percent of such standards of the 48 contiguous States. Converts the food stamp program in Puerto Rico into an annual block grant for food assistance and sets forth requirements and criteria for the Commonwealth to maintain such grant.

Sponsored by Mr. Helms, was reported by the Senate Committee on Agriculture, Nutrition, and Forestry.

The Senate agreed to the following amendments:

S. Up. Amdt. No. 142, to authorize the Secretary of Agriculture to conduct pilot projects for the purpose of simplifying the processing of food stamp applications for certain AFDC and SSI recipients, sponsored by Mr. Boren.

S. Up. Amdt. No. 143, to exempt the elderly and disabled from the income standards of eligibility limitation set at 130 per centum of the poverty income guidelines, sponsored by Mr. Boren joined by Mr. Pryor, Mr. Bentsen, and Mr. Leahy.

S. Up. Amdt. No. 148, to make technical corrections, sponsored by Mr. Helms.

Passed Senate with amendments by Yea-Nay Vote. 77-17. Record Vote No. 147, June 10, 1981.

S. 1086, Older Americans Act Amendments of 1981.

Amends the Older Americans Act of 1965 to add education and training to those opportunities for older persons which are objectives of such Act.

Makes the definitions of "Indian tribe" and "tribal organizations" inapplicable for purposes of provisions for grants to Indian tribes under such Act.

Modifies specified duties and functions of the Administration on Aging. Permits the Commissioner of the Administration to determine when review of and comment on Federal policies affecting the elderly is necessary. Eliminates the qualification that private organizations be nonprofit in order to receive specified assistance from the Administration for programs for the elderly.

Includes programs under title I of the Higher Education Act (Continuing Postsecondary Education Program and Planning) and under the Adult Education Act among those programs related to the purposes of such Act, for purposes of Federal agency consultation.

Eliminates the National Information and Resource Clearinghouse for the Aging. Repeals provisions relating to specified studies which have been completed.

Authorizes appropriations for fiscal years 1982 through 1984 for the Federal Council on Aging.

Allows categorical grants under such Act to Insular Areas (Virgin Islands, Guam, American Samoa, the Trust Territory of the Pacific Islands, and the Government of the Nothern Mariana Islands) to be consolidated with other grants.

Eliminates the requirement that a profitmaking organization must demonstrate clear superiority with respect to the quality of services provided in order to be awarded a contract by a recipient of funds under such Act.

Authorizes appropriations for fiscal years 1982 through 1984 for grants for State and community programs on aging. Specifies separate amounts of such appropriations for social service programs and nutrition programs respectively. Allows a State's grant allotment to be used for the purchase of commodities from the Department of Agriculture.

Revises the formula for such State grant allotments.

Makes available from such State grant allotment such amount as the State agency determines to be adequate for conducting its ombudsman program.

Specifies that a State agency on aging is only responsible to the extent feasible to review and comment on State plans, budgets, and policies affecting the elderly. Permits a State which had previously functioned as a single planning and service area to designate additional planning and service areas within the State to be administered by area agencies on aging.

Revises requirements for area plans to permit such plans to cover periods of two, three, or four years. Eliminates a requirement that at least 50 percent of alloted funds be expended for access, in-home, and legal services. Requires, instead that an unspecified portion of such funds be expended for such purposes. Directs, rather than permits, States to waive such expenditure requirements if the area agency demonstrates that services being furnished are sufficient to meet needs. Modifies review and comment responsibilities of area agencies on aging.

Revises requirements for State plans to permit such plans to cover periods to two, three, or four years. Specifies that nutrition projects may include either meals in a congregate setting or home-delivered meals or both. Requires that each area agency: (1) providing for congregate meal projects also provide for home delivered meal projects; and (2) establish procedures allowing nutrition project administrators to offer meals to individuals providing volunteer services or other services integral to the project. Repeals: (1) a limitation on the use of nutrition services funds for social services; and (2) provisions for nutrition project charges for individual meals, according to income and specified guidelines, to increase the number of meals served. Replaces the latter provisions with requirements that State plans provide procedures for participant contributions for both nutrition and social services, according to income and specified guidelines, to provide authorized services which benefit a majority of program participants.

Requires that State plans assure that, if a substantial number of older individuals residing in any planning and service area are of limited English-speaking ability, the area agency on aging will be required to: (1) use outreach service delivery workers who are fluent in the language spoken by the predominant numbers of such individuals; and (2) designate a full-time employee whose responsibilities include: (a) making counseling available to such individuals to help them participate in programs and receive assistance under such Act; and (b) enabling social service delivery workers to take into account cultural sensitivities and linguistic differences.

Revises provisions for transfer of funds to allow a State to elect to transfer up to 20 percent of the funds appropriated for any fiscal year between nutrition and social service programs upon notification of the Commissioner (formerly, allowed a State to transfer an unspecified portion of such funds between programs, upon approval of the Commissioner).

Eliminates the requirement that the Secretary of Agriculture maintain an annually programmed level in donating surplus commodities to nutrition services for the elderly grant or contract recipients.

Extends through fiscal year 1984 the requirement that the Secretary of Agriculture purchase specified foods for distribution to nutrition services for the elderly. Eliminates the authorization of appropriations for such purchases. Requires that such purchases be made with funds taken out of payments made by States from their grant allotments or by Indian tribal organizations from grants and contracts under such Act.

Authorizes the Secretary of Agriculture, in consultation with the Commissioner on Aging, to presecribe terms and conditions of such purchases. Repeals provisions for cash payments in lieu of donated foods.

Directs States, having approved State plans, to carry out programs of social services and of congregate and home-delivered nutrition services (formerly, directed the Commissioner to make grants to State to operate such programs).

Substitutes "education and training" for "continuing education" among specified allowable social services in State programs. Includes as allowable activities in such programs: (1) the installation of security devices and structural modifications or alterations of the residences of elderly individuals; and (2) services to encourage the employment of older workers, including job counseling, development, referral, and placement.

Eliminates the program of grants for training for legal assistance to the elderly.

Eliminates a requirement that the Commissioner on Aging conduct a study of the different service needs and costs of rural and urban elderly persons.

Directs (fomerly only authorized) the Commissioner to collect and disseminate research and development information.

Eliminates specified types of demonstration projects to which the Commissioner is required to give special consideration. Adds to those projects which must continue to receive such consideration: (1) the prevention of unlawful entry into homes owned by the elderly (through security devices or structural modification); and (2) specified types of mental health services and training.

Specifies that no funds may be obligated for demonstration projects to provide mental health services to older individuals if funds are appropriated to carry out specified provisions of the Mental Health Systems Act. Directs the Commissioner to report to the Congress at the completion of such demonstration projects.

Revises provisions for legal services for the elderly demonstration projects to direct (formerly, authorized) the Commissioner to make grants or enter into contracts to support pro bono or reduced-fee legal services to older individuals. Eliminates the authorization for projects for legal research, technical assistance, training, and information dissemination. Eliminates provisions for reserving a specified minimum amount of appropriations to carry out legal services demonstration projects.

Eliminates the grants program for utility and home heating costs assistance for the elderly demonstration projects.

Eliminates the program of mortgage insurance and interest grants for multipurpose senior centers.

Authorizes appropriations for fiscal years 1982 through 1984 for training, research, and discretionary projects and programs for the elderly.

Removes the condition of having poor employment prospects as a requirement for participation in the older American community service employment program. Directs the Secretary of Labor to enter into agreements to provide second career training and placement in private employment for individuals eligible for such program. Revises requirements for distribution of national grants or contracts and for State allotments under such program. Authorizes appropriations for fiscal years 1982 through 1984 to carry out such program.

Revises provisions for grants to Indian tribes for social and nutritional services for the elderly to eliminate the requirement that nonprofit private organizations selected by the tribal organization conduct periodic evaluations (which are still required). Makes legal or ombudsman services to older Indians a permissible, rather than a required service. Requires Indian tribal organizations applying for such grants to inform each State agency on aging of such application. Authorizes appropriations for fiscal years 1982 through 1984 for such grants to Indian tribes.

Repeals specified provisions of the Comprehensive Older Americans Act Amendments of 1978 relating to continuation of assistance to nutrition service projects.

Allows funds appropriated under the 1981 White House Conference on Aging Act for fiscal year 1981 to remain availble for fiscal year 1982.

Sponsored by Mr. Denton, was reported by the Senate Committee on Labor and Human Resources, and consponsored by Mr. Hatch, Mr. Pressler, Mr. Heinz, Mr. Burdick, Mr. Durenberger, and Mrs. Hawkins.

The Senate agreed to the following amendments:

S. Up. Amdt. No. 556, to make a technical amendment to the Low Income Home Energy Assistance program, sponsored by Mr. Denton.

S. Up. Amdt. No. 557, to provide a strengthened surplus commodities program, sponsored by Mr. Eagleton.

S. Up. Amdt. No. 558, to authorize experimental second career and job placement projects under title V of the Act, sponsored by Mr. Chiles joined by Mr. Heinz, Mr. Packwood, Mr. Grassley, Mr. Williams, Mrs. Kassebaum, Mr. Percy, Mr. Durenberger, Mr. Melcher, Mr. Kennedy, Mr. Pryor, Mr. Glenn, Mr. Bradley, Mr. Bentsen, Mr. Sarbanes, and Mr. Randolph.

S. Up. Amdt. No. 559, to assure flexibility in the grants for Indian tribal program under the Act in any case in which the need for nutritional services by the tribal organization is met from other sources, and for other purposes, sponsored by Mr. Stevens joined by Mr. Murkowski, and Mr. Hayakawa.

S. Up. Amdt. No. 560, to make certain technical corrections, sponsored by Mr. Denton.

S. Up. Amdt. No. 561, to provide crime prevention and victim assistance programs for the elderly, sponsored by Mr. Heinz joined by Mr. Chiles, Mr. Grassley, Mr. Percy, Mr. Cohen Mr. Durenberger, Mrs. Kassebaum, Mr. Hayakawa, Mr. Bradley, Mr. Pryor, and Mr. Melcher.

S. Up. Amdt. No. 562, to reinstate the utilities and home heating costs demonstration projects, sponsored by Mr. Dodd.

S. Up. Amdt. No. 563, to authorize weatherization activities under title V., sponsored by Mr. Dodd.

S. Up. Amdt. No. 564, to maintain the integrity of the home-delivered meals program, sponsored by Mr. Kennedy joined by Mr. Riegle, Mr. Heinz, Mr. Dole, Mr. Metzenbaum, Mr. DeConcini, Mr. Dodd, Mr. Packwood, Mr. Randolph, Mr. Pressler, and Mr. Bentsen.

S. Up. Amdt. No. 565, to provide for elderly transportation demonstration projects, sponsored by Mr. Pressler.

S. Up. Amdt. No. 566, to express the sense of the Senate that the 97th Congress will not adopt any budget plan which would immediately subject social security benefits to Federal income taxation, sponsored by Mr. Byrd, of West Virginia joined by Mr. Reigle, Mr. Hatch, Mr. Ford, Mr. Sasser, Mr. DeConcini, Mr. Mitchell, Mr. Thurmond, Mr. Wallop and Mr. Dole.

Passed Senate with amendments by Yea-Nay Vote 75–0. Record Vote No. 348, November 2, 1981.

Senate agreed to conference report, December 11, 1981.

S. Res. 218, retains nutrition goals in the School Lunch Program

Expresses the sense of the Senate to retain regulations for the provision of one-third of the recommended dietary allowances of nutrients as a goal in the school lunch program under the National School Lunch Act.

Sponsored by Mr. Melcher, was reported by the Senate Committee on Agriculture, Nutrition, and Energy, and cosponsored by Mr. Pryor; Mr. Eagleton; Mr. Bradley; Mr. Sasser; Mr. Cranston; Mr. Chafee; Mr. Zorinsky; Mr. Mitchell; Mr. Burdick; Mr. Pell; and Mr. Dixon.

Passed Senate on December 9, 1981.

Amended, rollcall No. 466 (92–0).

H.R. 3991, amends the Food Stamp Act of 1977 to increase the authorized appropriations for fiscal year 1981. Directs the Secretary of Agriculture, upon the request of a State, to find that such State's cash payments uner the Social Security Act have been specifically increased to include the bonus value of food stamps, for purposes of determining food stamp eligibility for supplemental security income recipients

Measure signed in Senate on June 29, 1981 and signed by the President on June 30, 1981 and became Public Law No. 97–18.

H.R. 4331, reinstates minimum Social Security Benefits (eliminated in Omnibus Reconciliation Act)

Repeals provisions of the Omnibus Reconciliation Act of 1981 which repeal the minimum monthly social security benefit under title II (Old Age, Survivors and Disability Insurance) of the Social Security Act.

Passed Senate amended on October 15, 1981. To Conference, November 4, 1981.

Rollcall No. 315 (95-0).

The Senate agreed to the following amendments;

S. Amdt. No. 478, to provide for interfund borrowing among the Social Security trust Funds, to restore the minimum benefit for certain individuals, and for other purposes, sponsored by Mr. Dole.

S. Amdt. No. 480, to require a General Accounting Office study of the managment efficiency, employee productivity, and technical capacities of the Social Security Administration, sponsored by Mr. Pell.

S. Amdt. No. 481, to provide for the release of information necessary to carry out the provisions of section 223 relating to the prohibition of payments to prisoners, sponsored by Mr. Danforth.

S. Amdt. No. 482, to require the Secretary of Health and Human Service to report to the Congress with respect to screening of social security payments to prevent payments to deceased individuals, sponsored by Mr. Domenici.

S. Amdt. No. 483, to provide penalties for the misuse of social security numbers, sponsored by Mr. Baucus.

S. Amdt. No. 485, applying the social security tax to all employer-financed sick pay (in the first six months) except that paid as insurance, sponsored by Mr. Dole.

S. Amdt. No. 486, to require counterfeit-proof social security cards, sponsored by Mr. Moynihan.

S. Amdt. No. 487, inserting the lanaguage of the Highway Revenue Act of 1981, sponsored by Mr. Stafford.

S. Amdt. No. 488, to require that the statutory deadline for implmenting AFDC home health aide demonstration projects be met for projects in at least seven States, sponsored by Mr. Levin.

S. Amdt. No. 582, to provide for a special statement of requests for new budget authority, estimates of outlays and revenues, and estimates of deficits or surplus for the Federal Old-Age and Survivors Insurance Trust Fund, the Federal Disability Insurance Trust Fund, and the Federal Hospital Insurance Trust Fund, sponsored by Mr. Eagleton.

S. Amdt. No. 585, to provide that any future legislative changes in the Social Security Act will not reduce the current dollar amount of monthly Old Age Survivors and Disability Insurance benefits to which individuals are entitled for the month of enactment, sponsored by Mr. Pressler.

TAXATION

H.R. 5159, amends the Internal Revenue Code of 1954 to provide a temporary increase in the tax imposed on producers of coal, and for other purposes

Passed Senate amended by Yea-Nay Vote: 63-30. Record Vote No. 494, December 16, 1981.

H.R. 4242, Tax Incentive Act of 1981 Foreign Oil and Gas Tax Act of 1981

Title I: Individual Income Tax Provisions.—Amends the Internal Revenue Code to reduce individual and estate and trust income tax rates for 1982, 1983, and 1984 and thereafter. Reduces the highest marginal tax rate, applicable to unearned income, from 70 to 50 percent, effective in 1982. Repeals the 50 percent maximum tax rate on personal service income, effective in 1982. Reduces the alternative minimum tax on the capital gains of individuals and the personal holding company tax to correspond with the reductions in the highest marginal tax rates. Establishes a maximum tax rate on long-term capital gains of 20 percent for sales and exchanges occurring after June 9, 1981 and before January 1, 1982.

Allows a tax credit equal to one and one-fourth of an individual's regular tax liability for taxable year 1981. Revises withholding requirements to provide for withholding reductions of five percent in 1981, ten percent in 1982, and ten percent in 1983. Authorizes the Secretary of the Treasury to issue regulations permitting wage earners to increase or decrease their withholding allowances.

Allows married individuals filing a joint return an income tax deduction from gross income of ten percent of the lesser of $30,000 or the earned income of the lower income spouse. Specifies that the rate of such deduction will be five percent, instead of ten, in taxable year 1982. Requires annual cost of living adjustments, based on the Consumer Price Index, to individual income tax rates, the personal tax exemption, withholding requirements, and minimum income tax return amount beginning in 1985.

Increases from $20,000 to $75,000 in 1982 (with annual adjustments up to $95,000 in 1985 and thereafter) the earned income exclusion for U.S. citizens working abroad who are bona fide residents of a foreign country. Repeals the requirement that, as a condition of their employment, such individuals reside in a hardship area. Reduces from 17 to 11 months the residency requirement for such exclusion. Permits the tax exclusion of the housing costs of such individuals in the amount by which the taxpayer's housing costs exceed 16 percent of a GS-14, step 1 salary level for a Federal employee. Permits a tax deduction for excess housing costs which are not excludable.

Waives the residency requirements for such exclusion if the Secretary of the Treasury determines that the taxpayer would otherwise have met the residency requirement but for the occurrence of civil unrest, war, or other adverse conditions precluding the normal conduct of business. Repeals the existing income tax deduction for certain living expenses of U.S. citizens abroad.

Provides for an income tax exclusion for the value of employer-provided lodging in a camp in cases where satisfactory housing is not generally available.

Amends the Foreign Earned Income Act of 1978 to revise reporting requirements to require the Secretary and certain Federal Government Agencies to report to specified congressional committees on the operation and effects of the foreign earned income exclusion quadrennially beginning after the enactment of this Act.

Permits taxpayers who do not itemize income tax deductions to claim a deduction from gross income for a specified percentage of their charitable contributions.

Increases from $100,000 to $125,000 the amount of the one-time exclusion of gain from sale of a principal residence by an individual who has attained age 55. Increases from 18 months to 2 years the rollover period for such exclusion.

Increases the amount of the tax credit allowable for expenses for household and dependent care services necessary for gainful employment, beginning in 1982. Revises the method for computing such credit and certain eligibility requirements for such credit. Requires that dependent care centers be in compliance with State law in order for expenditures for services provided by such centers to be eligible for such credit.

Excludes from an employee's gross income amounts paid or incurred by an employer for child care provided such employee under a qualified nondiscriminatory plan. Allows an income tax deduction from gross income for fees, court costs, attorney's fees, and other necessary expenses incurred in the adoption of a child. Limits the amount of such deduction to $1,500 for a taxable year.

Decreases from ten to seven percent the maximum rate of imputed interest on qualified installment land sales between family members. Requires that such land sales not exceed $500,000 a year to qualify for such lower interest rate.

Allow State legislators to an income tax deduction for travel expenses incurred while engaged in legislative business away from their home district. Limits such deduction to 110 percent of the daily amount allowable for State employee or the daily amount allowable for Federal employees away from home but serving in the United States. Disallows such deduction for state legislators whose district residence is within 50 miles from the State capitol building.

Provides that the taxable income of a congressional candidate's principal campaign committee be taxed at the generally applicable corporate income tax rate (rather than the highest corporate income tax rate as under present law).

Title II: Business Incentive Provisions.—Amends the Internal Revenue Code to revise the method for determining useful lives of business assets for purposes of computing allowable depreciation deductions. Replaces the assets depreciation range (ADR) method with a schedule of capital cost recovery periods for four classes of business property.

Establishes cost recovery periods for the following classes of business property: (1) three-year property, including certain tangible personal property with a present class life of four years or less or used for research or experimentation and certain race horses; (2) five-year property, including certain tangible personal property which is not three-year property, ten-year property, or 15-year public utility property; (3) ten-year property, including certain public utility property with a present class life of more than 18 but less than 25 years and certain real property with a present class life of 12.5 years or less railroad tank cars, manufactured homes, and certain coal utilization property; (4) 15-year public utility property, including all such property with a present class life of more than 25 years. Sets forth separate recovery schedules for property placed in service before 1985 and for property placed in service in 1985 and thereafter.

Establishes as a separate class of business property 15-year real property which does not have a present class life of 12.5 years or less. Directs the Secretary to prescribe a schedule of recovery for such property which provides for a 15-year recovery period and utilizes the 175 percent (1200 percent for low-income housing) declining balance method of depreciation in the early years of recovery with a switch to the straight-line method in the remaining years.

Permits taxpayers to elect to use the straight-line method of depreciation with specified other recovery periods in lieu of the prescribed accelerated method.

Defines "unadjusted basis" for purposes of determining gain or loss on the disposition of accelerated recovery property. Sets forth rules for the nonrecognition of gain on the disposition of assets from mass asset accounts.

Excludes from eligibility for accelerated cost recovery the following types of property: (1) property placed in service before January 1, 1981; (2) property depreciable on a basis other than time; (3) public utility property for which the normalization method of accounting is not used; and (4) certain property placed in service prior to 1981 which is transferred or leased in a transaction occurring after 1981 which does not alter its use.

Revises component depreciation rules to provide that the taxpayer must utilize the same recovery period and method of depreciation for a building and its structural components. Allows separate depreciation of substantial improvements.

Provides special rules for the depreciation of recovery property used predominantly outside of the United States.

Repeals the retirement-replacement-betterment methods of depreciation allowed for certain types of property. Specifies that such property shall be depreciated using a ratable method.

Sets forth rules for determining the eligibility of lessors of recovery property for accelerated depreciation deductions and for the investment tax credit.

Specifies that the salvage value of cost recovery property shall not be taken into account in computing allowable depreciation.

Includes mass commuting vehicles as qualified leased property. Directs the Secretary to prescribe leasing regulations.

Provides special rules for determining allowable deductions for recovery property in the case of certain corporate transfers and liquidations.

Provides the gain on the disposition of single purpose agricultural or horticultural facilities and petroleum product storage facilities shall be treated as ordinary income to the extent of prior depreciation taken.

Repeals the Secretary's authority to prescribe regulations on the treatment of repair allowances as presently deducitible business expenses.

Permits a taxpayer to elect to expense (i.e. currently deduct) the cost of new or used tangible personal property used in the taxpayer's business during a taxable year in lieu of current provisions permitting additional first year depreciation. Sets the amount of such deduction at $5000 in 1982 with biennial increments of $2500 up to $10,000 in 1986.

Exempts programs administered by the Secretary of Health and Human Services from the depreciation rules in the Internal Revenue Code.

Requires the recapture as ordinary income of excess depreciation from recovery property which is subsequently sold or exchanged.

Treats the accelerated cost recovery deduction as an item of tax preference for purposes of the minimum tax.

Revises the method of computing the adjustment to earnings and profits for depreciation. Specifies that such adjustment shall be determined using the stright-line method of depreciation over prescribed extended recovery periods.

Extends the carryover periods for certain net operating losses and tax credits.

Revises the applicable percentage for determination of the investment tax credit to make eligible for such credit: (1) 100 percent of the basis of ten-year, five-year recovery property, or 15-year public utility; and (2) 60 percent of the basis of three-year recovery property.

Revises the progress expenditure rules to eliminate the useful life requirement for depreciable property being constructed by or for a taxpayer for use in trade or business (qualified progress expenditure property) and to apply to such property the revised percentages for determining the investment tax credit under this Act.

Qualifies petroleum product storage facilities for the investment tax credit.

Limits the amount of the investment tax credit to the amount that the taxpayer has at risk. Sets forth special at risk limitations for certain energy property and in the case of certain third party lenders.

Revises the recapture rules for recovery property eligible for the investment tax credit. Prescribes recapture percentages for recovery property which ceases to be investment tax credit property based on the type of property and the amount of time such property is in service.

Makes leased railroad stock of a U.S. person used to and from the United States eligible for the investment tax credit.

Increases the investment tax credit for qualified rehabilitation expenditures based upon the age of a building or its certification as a historic structure. Repeals the special 60-month amortization rules for certified historic structures and rules permitting accelerated depreciation for rehabilitation certified historic structures.

Increases the limit on the amount of used property eligible for the investment tax credit.

Provides that the present law rule denying the investment tax credit for property leased to tax-exempt organizations or governmental units shall not apply to the portion of the basis of a building attributable to qualified rehabilitation expenditures.

Allows a nonrefundable income tax credit for 25 percent of the qualified research expenses incurred by a taxpayer in carrying on any trace or business to the extent that such expenses exceed the average amount of the taxpayers expenses in a specified base period. Defines "qualified research expenses" as amount paid or incurred for in-house and contract research. Allows such credit for basic research contracted out to colleges, universities, and tax-exempt scientific research institutes. Excludes from eligibility for such credit research in the social sciences or humanities, and research funded by any other person or governmental entity. Provides for a three-year carryback and a fifteen-year carryover of any unused credit amounts. Terminates such credit after 1985.

Revises the limits on the allowable deduction for corporate charitable contributions of inventory property which is contributed to an institution of higher education and use for research purposes. Sets forth eligibility, requirements for such deduction including the following: (1) that such property be scientific equipment or apparatus; (2) that the donee use such property in the United states; and (3) that the use of the property be for research in the physical or biological sciences. Excludes certain small business corporations, personal holding companies, and service organizations from eligibility for such increased deduction.

Suspends regulations relating to the allocation of research and experimental expenditures paid or incurred for activities conducted in the United States. Requires the secretary to study and report to Congress on the effect such regulations would have on research and experimental activities conducted in the United States.

Reduces the corporate income tax rates for corporation with a taxable income of $50,000 or less. Revises the method of computing the income tax on mutual insurance companies.

Increases from $150,000 to $250,000 the amount which corporations may accumulate for reasonable needs of the business without being subject to the tax on accumulated earnings. Disallows such increase from corporations performing services in the areas of health, law, engineering, architecture, accounting, actuarial science, performing arts, or consulting. Increases the allowable number of shareholders in a Subchapter S corporation from 15 to 25. Permits qualified trusts to be shareholders of Subchapter S corporations. Allows a beneficiary of such a trust to elect to be treated as the owner of stock in any Subchapter S corporation. Terminates the status of a qualified Subchapter S trust at any time during which the trust owns no Subchapter S corporation stock or the corporation ceases to qualify as such.

Revises the Last-In-First-Out (LIFO) inventory accounting rules. Directs the Secretary to prescribe regulations permitting the use of certain governmental indexes in inventorying goods under such method. Allows businesses with average gross receipts of $2,000,000 for three years (ending with the taxable year) to elect one inventory pool for purposes of dollar value LIFO inventory accounting. Permits three-year averaging of inventory value for taxpayers who elect LIFO accounting. Requires the Secretary to study and report to Congress on simplified methods of tax accounting for inventory.

Sets forth special rules for the tax treatment of reorganizations involving financially troubled thrift institutions.

Permits tax-free reorganizations of building and loan associations, cooperative banks, and mutal savings banks which are subject to the jurisdiction of the Federal Home Loan Bank Board or the Federal Savings and Loan Insurance Corporation without regard to judicially-created requirements as to the distribution of stocks and securities of the transferee corporation. Requires the mutual acquisition of assets and liabilities between the transferor and transferee corporations.

Specifies rules for the limitation of net operating loss carryovers for certain financial institutions in reorganization.

Exempts distributions to the Federal Savings and Loan Insurance Corporation in redemption of certain interests in a domestic building and loan association from recapture requirements for distributions out of excess bad debt reserves.

Excludes from the gross income of a domestic building and loan association all money or property contributed to such association by the Federal Savings and Loan Insurance Corporation under its financial assistance program without reduction in the basis of the association's property.

Provides for special tax treatment of mutual savings banks which convert to stock associations. Exempts from income taxation any income resulting from the transfer of stock to an individual exercising a stock option under an incentive stock option plan. Specifies that the optionee may not dispose of stock within two years after an option is granted or within one year after the transfer of shares. Requires that the optionee be an employee of the corporation granting such option at all times during the period after an option is granted and until three months before such option is exercised.

Limits the amount of the aggregate fair market value of the stock for which any employee may be granted such stock options in any year. Provides for a carryover of any unused amount of such limit.

Provides that, for purposes of the taxation of property transferred to an employee as compensation for services, such property shall be considered subject to a substantial risk of forfeiture and not transferable if the sale of such property could subject a person to a suit under certain provisions of the Securities and Exchange Act of 1934 or if transfer of the property is restricted under the pooling-of-Interests accounting rules.

Extends the targeted jobs credit through 1982. Extends eligibility for such credit to registrants of the WIN work incentive program, recipients of Aid to Families with Dependent Children, and involuntarily terminated CETA employees. Limits eligibility for cooperative education students to those who are economically disadvantaged. Revises the certification requirements for such credit.

Eliminates the age requirement applicable to Vietnam veterans. Repeals provisions limiting qualifying first-year wages to 30 percent of the unemployment insurance wages paid by an employer. Disallows such credit with respect to amounts paid to certain relatives of the taxpayer or shareholders of the taxpayer corporation.

Extends permanently the exemption of low-income housing from the requirement that construction period interest and taxes be amortized (instead of expensed as an immediate deduction).

Increases the limitation on a corporation's charitable contributions deduction from five to ten percent of taxable income, effective in 1982.

Increases the amount of low-income housing rehabilitation expenditures eligible for amortization from $20,000 to $40,000 per unit if the rehabilitation is conducted under a program certified by the Secretary of Housing and Urban Development or by a State or local government. Requires that the tenants occupy the units as their principal residence and that the program provide for the sale of the units to the tenants at a limited profit to the seller.

Increases the ceiling on the deductibility of awards and gifts given by employers to their employees from $100 to $400. Allows deductible employee awards for productivity (in addition to length of service and safety achievements). Permits a deduction for employee awards given as a part of a written plan or program which does not discriminate in favor of officers' shareholders, or highly compensated employees. Limits the deduction for such award plans.

Provides a top deduction for the loss of a motor carrier operating authority held by the taxpayer on July 1, 1980. Allows such deduction to be taken ratably over a 60-month period.

Increases the percentage of eligible outstanding loans used to determine the necessary balance of a bank's reserve for losses on loans for purposes of computing the allowable bad debt deduction.

Title III: Savings Provisions.—Excludes from gross income interest received on a savings certificate issued after September 30, 1981 and before January 1, 1983 by a qualified bank, savings and loan institution, credit union, or industrial loan association or bank. Disallows the issuance of tax-exempt savings certificate by foreign branches and international banking facilities of U.S. banks. Requires that such certificates be made available in $500 denominations, have a maturity of one year, and have an investment yield which does not exceed 70 percent of the Treasury bill rate. Permits such exclusion only to the extent that the interest income received by the taxpayer exceeds the amount of such income received in the previous year, up to $1000 ($2000 for joint returns). Requires institutions issuing such certificates to invest 75 percent of the proceeds from such certificates or other qualified net savings in residential financing and agricultural loans.

Requires the Secretary to report to Congress on such exemption's effectiveness in generating additional savings. Amends the Crude Oil Windfall Profit Tax Act of 1980 to repeal the partial exclusion of interest from gross income for taxable year 1983. Decreases the amount of the dividend exclusion from $200 ($400 for joint returns) to $100 ($200 for joint returns) for any taxable year.

Provides for the exclusion from gross income of 15 percent of interest from specified sources, beginning in 1985. Limits the amount of such exclusion to 15 percent of the lesser of $3000 ($6000 for joint returns) or the amount of net interest received by the taxpayer.

Sets forth rules from the tax treatment of dividends received from a regulated investment company and real estate investment trusts.

Revises rules for the retirement savings deduction. Increases the amount of the allowable tax deduction for contributions to an individual retirement account (IRA) for individuals not covered by other plans to the lesser of $2000 ($2,250 for a spousal IRA) or the individuals' compensation income. Allows such deduction for IRA contributions or for voluntary contributions by individuals to a qualified employer plan or a government plan.

Allows employees a deduction for employer contributions to a simplified employee pension. Limits such deduction to the lesser of 15 percent of the taxpayers' compensation income or the amount of such contributions (up to $7,500).

Allows a divorced spouse a tax deduction for contributions to a spousal IRA established by the individual's former spouse at least five years before the divorce if the former spouse contributed to the IRA for at least three of the five years preceding the divorce. Limits such deduct to the lesser of $1,125 or the sum of the divorced spouses' compensation and alimony includible in gross income. Repeals existing provisions relating to the tax deductions for retirement savings for certain married individuals. Requires that the maximum deduction for retirement savings contributions by married individuals be computed separately for each individual.

Increases the limit on deductible contributions to owner-employee retirement plans from $7,500 to $15,000 or 15 percent of the earned income derived by employees from the trade or business, whichever is less. Increases the amount of compensation which may be used to determine annual benefit accruals for purposes of applying limits on deductible contributions.

Revises rules relating to the taxation of the beneficiaries of qualified bond purchase plans and for the rollover of the proceeds from redemption of such bonds into IRA's or other annuities.

Revises requirements for the qualification of trusts and plans benefitting owner-employees and for the investment by IRA's in collectibles.

Permits the exclusion from income of up to $1500 ($3000 for joint returns) per year of public utility stock dividends by shareholders who choose to receive a common stock dividend rather than other property under a qualified plan established by a domestic public utility corporation. Requires that the stock be newly issued common stock and that the number of shares distributed to any shareholder be determined by reference to a value which is not less than 95 and not more than 105 percent of the stock's fair market value before distribution. Disallows such exclusion if the corporation has repurchased any of its stock within one year before or after the distribution date unless the corporation establishes a business purpose for such purchase. Excludes trusts and estates, nonresident aliens, and five percent shareholders from eligibility for such exclusion. Provides for the recapture of tax benefits upon disposition of such stock.

Revises provisions allowing a tax credit for contributions to employee stock ownership plans.

Replaces the existing investment tax credit for such plans with an income tax credit for corporate employers equal to a specified percentage of compensation paid to employees who purchase stock pursuant to a qualified plan for taxable years 1983 through 1987.

Allows an income tax deduction for unused employee stock ownership credits which expire at the close of a taxable year. Repeal the employer plan percentage for the investment tax credit allowed an employer for contributions to an ESOP after 1982.

Allows employees a separate tax deduction for amounts paid for the principal or interest on a loan used to purchase employer securities. Limits the deduction for payment of the loan principal to 25 percent of the compensation of all employees under the plan.

Permits a tax credit ESOP, where ownership of all outstanding employer securities is restricted 40 employees or to a tax-deferred compensation plan, to distribute benefits in cash although it does not permit a participant to excercise the right to demand that benefits be distributed in employer securities.

Qualifies as a tax-deferred compensation plan a stock bonus plan which provides for the exercise of a put option.

Allows banks whose securities are not readily tradable to reduce the period for exercise of a put option to a period of at least 60 days following the date of distribution of employer stock and an additional such period in the following plan year.

Permits distributions from a tax credit ESOP of employer securities allocated to a participant's account in the case of: (1) death, disability, or separation from service; (2) a transfer of a participant to an acquiring employer pursuant to a sale of the assets of the employer corporation or a sale of the stock of a subsidiary; or (3) the disposition of a corporation's stock in a subsidiary which employs the participant.

Removes the present law requirement that employees must be able to vote stock allocated to their accounts under a defined contribution plan in the case of certain profit-sharing plans.

Title IV: Estate and Gift Tax Provisions.—Increases the unified credit against the estate and gift taxes from $47,000 to $192,800 by specified annual increments through 1987. Increases from $175,000 to $600,000, by specified annual increments through 1987, the minimum gross estate requirement for filing of a return.

Reduces the maximum estate and gift tax rates to 50 percent by specified annual decrements through 1985.

Repeals the existing limitations on the marital deduction for gift and estate taxes. Revises the definition of "qualified joint interest" for purposes of the 50 percent valuation of interests in property held by the decedent and the decedent's spouse. Qualifies certain terminable interests for the marital deduction. Requires the inclusion in the gross estate of any property in which the decedent had an income interest for life if: (1) the marital deduction was allowed with respect to the transfer of such property to the decedent; and (2) the disposition of the income interest in such property is not considered a transfer of such property under other provisions of the Internal Revenue Code.

Provides that any disposition of an income interest for life in any property shall be treated as a transfer of such property if the marital deduction was allowed with respect to the transfer of such property to the donor. Provides for a right of recovery of estate and gift tax in the case of certain marital deduction property.

Increases the maximum reduction (currently $500,000) in fair market value under the special estate tax valuation based on use for certain farms and small businesses annually to $750,000 in 1983 and thereafter.

Allows property put to a qualified use by a family member to qualify for special use valuation.

Qualifies estates of decedents who were disabled or retired for the special valuation of certain farms based on use if such decedents materially participated in the operation of the farm for five out of eight years preceding the year in which they became disabled or eligible for disability benefits under title II (Old Age, Survivors and Disability Insurance) of the Social Security Act.

Permits the spouse of a decedent to use such valuation if the spouse takes over active management upon the decedent's death.

Reduces from 15 to ten years the length of time a qualified property must be held and put to a qualified use following the decedent's death before it can be disposed of without incurring a recapture of estate tax benefits. Permits such period to begin on the later of the decedent's death or on a date within one year after death when the qualified use begins. Permits active management rather than material participation as a test for qualification of the estate for spouses, children under 21, students, and disabled individuals who receive property from a decedent who qualified for special use valuation.

Allows the like kind exchange of property without loss of special use valuation eligibility. Allows valuation based on net crop share rentals as an alternative method of valuing farms. Repeals the requirement that an heir elect special treatment for involuntary conversions of qualified real property, thus making such treatment automatic upon such conversion.

Includes in the value of woodlands which qualify for the special use valuation the value of the trees growing on such property.

Requires the recapture of estate tax benefits upon the disposition or severance of standing timber on such property.

Permits an increase in basis of specially valued property on which a recapture tax is paid. Revises the definition of "family member" for purposes of the special use valuation. Qualifies certain property transferred to discretionary trust and certain property purchased from a decedent's estate for such valuation.

Requires that an election to specially value property be made on the decedents' estate tax return (rather than by the due date of that return as under present law).

Provides that any period of ownership, qualified use, or material participation in the operation of a farm or other business by the decedent or family member shall be applied to qualified replacement property in the case of a like-kind exchange or involuntary conversion of the original property.

Limits the recognition of gain to an estate on the transfer of special use valuation property to the heir of such estate to the extent that the fair market value of such property exceeds the value of such property for estate tax purposes computed without regard to the special use valuation rules.

Modifies the alternate extension of time for payment of the estate tax where the estate consists largely of an interest in a closely held business to: (1) allow an installment payment election if the value of the interest in the closely held business is 35 percent of the value of the gross estate; (2) revise the formula regarding the inclusion in the value of a gross estate of interests in two or more closely held businesses; (3) increase to 50 percent the value of an interest disposed of which will accelerate the payment of tax; (4) permit payment, but with a penalty, of an installment within six months after the due date; and (5) provide the payment of tax will not be accelerated upon the death of decedent's heir or a subsequent transferee if the interest passes to a family member.

Provides that, for purposes of the estate and gift tax charitable deduction, a work of art and the copyright on such work of art shall be treated as separate properties.

Provides that the gifts made within three years of a decedent's death shall not be included in the gross estate of a decedent dying after 1981. Disallows such exclusion for certain transfers.

Allows a step-up in basis for appreciated property acquired by the decedent by gift within one year of death.

Allows a disclaimer of an interest in property for estate tax purposes in specified circumstances where a written transfer for the transferer's entire interest in the property is executed and the transfer meets certain other requirements.

Repeals the estate tax deduction for bequests to certain minor children.

Postpones the effective date for the generation-skipping transfer tax in the case of certain trusts created by wills or certain revocable trusts.

Provides a special tax credit against the estate taxes imposed on the estate of a specified individual in an amount equal to the lesser of such tax, the fair market value of certain property transferred by such estate to the Smithsonian Institution, or $700,000.

Increases from $3,000 to $10,000 the annual gift tax exclusion.

Permits the payment of gift taxes annually rather than quarterly.

Title V: Tax Straddles.—Provides that any loss from the holding of one or more positions shall be recognized, for income tax deduction purposes, only to the extent that it exceeds the unrealized gain (gain which would be recognized if the position had been sold at its fair market value) from the holding of one or more positions which: (1) were acquired before the disposition resulting in the loss; (2) were offsetting positions; and (3) were not part of an identified straddle as of the end of the taxable year. Defines "offsetting position" to mean that there is a substantial reduction of the taxpayer's risk of loss from holding any position with respect to personal property (personal property of a type which is actively traded) because the taxpayer also holds one or more other positions with respect to personal property (commonly referred to as a "straddle").

Creates a rebuttable presumption that two or more positions are offsetting, for purposes of the definition of a straddle, if: (1) they are in the same personal property, although they may be in a substantially altered form; (2) they are in debt instruments of a similar maturity or certain other debt instruments; (3) they are sold or marketed as such; (4) the aggregate margin requirement for such positions is lower than the sum of the margin requirement for each such position; or (5) there are other factors, as determined by the Secretary of the Treasury pursuant to regulation, which indicate that such positions are offsetting.

Imposes a penalty upon a taxpayer who fails to report each position held with respect to which there is unrealized gain and the amount of such gain and there is resulting underpayment from the denial of a deduction of a loss with respect to a position.

Disallows as a deduction, and makes chargeable to capital account, interest and carrying charges with respect to personal property which is part of a straddle.

Treats as sold at its fair market value any regulated futures contract held by the taxpayer at the close of the taxable year. Treats gain or loss with respect to such a contract as: (1) short-term capital gain or loss, to the extent of 40 percent of the gain or loss; and (2) long-term capital gain or loss, to the extent of 60 percent of the gain or loss. Exempts from the loss recognition provisions of this title any straddle consisting entirely of offsetting positions which are regulated futures contracts. Defines "regulated futures contract" as a contract: (1) which requires delivery of personal property; (2) with respect to which amounts deposited and withdrawn depend on a system of marketing to market; and (3) which is traded on or subject to the rules of certain board of trade.

Permits an election: (1) apply the regulated futures contract rules to all positions of all mixed straddles (straddles at least one, but not all, of the positions of which are regulated futures contracts and with respect to which each position is identified as being part of a straddle); or (2) not apply such rules to all regulated futures contracts which are part of all mixed straddles. Exempts from the application of such rules any hedging transaction. Defines "hedging transaction" as any transaction: (1) which is entered into in the course of the trade or business primarily to reduce certain types of risk with respect to property or borrowing; (2) the gain or loss on which is treated as ordinary income or loss; and (3) which is clearly identified as such.

Limits the three-year carryback of losses from regulated futures contracts to an amount which: (1) does not exceed the lesser of the capital gain net income from regulated futures contracts or all of the capital gain net income; and (2) does not increase or produce a net operating loss.

Provides that obligations of the United States, a State or local government, or a U.S. possession issued on a discount basis and payable without interest in less than one year shall be treated as capital assests in determining tax consequences of gain or loss with respect to such obligations. Treats as ordinary income any gain realized from the sale or exchange or short-term government obligations which does not exceed an amount equal to the ratable share of the excess of the stated redemption price at maturity over the taxpayer's basis.

Excludes from capital gains tax treatment gain by a securities dealer from the sale or exchange of any security, unless the security was clearly identified in the dealer's records before the close of the day on which it was acquired as a security held for investment (currently, before the end of the 30th day after the date of acquisition).

Extends capital gains treatment to gains or losses attributable to the termination of a right or obligation with respect to personal property of a type which is actively traded and which is or would be a capital asset in the hands of the taxpayer.

Title VI: Energy Provisions.—Increases from $1000 to $2500 the amount of the credit for any windfall profit tax paid in connection with taxable crude oil which is attributable to a qualified royalty interest and which is removed from the premises during 1981. Exempts royalty interests from the windfall profit tax after 1982 in an amount limited per quarter to the number of days in a quarter multiplied by two barrels for 1982 through 1984, and by three barrels in 1985 and thereafter.

Reduces from 30 to 15 percent the amount of the windfall profit tax on newly discovered tier three oil by specified annual decrements through 1986.

Exempts from the windfall profit tax, beginning in 1983, the stripper well oil of independent producers. Specifies that exempt stripper well oil does not include production attributable to an interest in any property which after July 22, 1981, was owned by a person other than an independent producer.

Exempts from the windfall profit tax oil produced from interests held by or for a residential child care agency. Defines such an agency as a tax-exempt charitable organization operated primarily for the residential placement, care, or treatment of delinquent, dependent, neglected, or handicapped children.

Specifies that the income tax credit for the production of natural gas from nonconventional sources shall apply to natural gas sold during the taxable year only if such gas is sold at a lawful price which is determined without regard to ceiling prices under the Natural Gas Policy Act of 1978.

Title VII: Administrative Provisions.—Provides that Federal law shall not be construed to require the disclosure of methods for the selection of tax returns for audits.

Revises rules for the determination of the interest rate on overpayments or underpayments of taxes. Changes such rate of interest from 90 percent to 100 percent of the prime rate.

Changes certain penalties for providing false information with respect to the withholding of tax. Requires an addition to tax for underpayments of tax by individuals and certain corporations attributable to a valuation overstatement that results in an underpayment of taxes of at least $1000. Requires an addition to tax for underpayments attributable to negligent or intentional disregard of rules or regulations.

Increases penalties for failure to file certain returns or furnish certain registration statements. Increases the penalty for overstated deposit claims.

Provides that no declaration of estimated tax by individuals is required if such estimated tax is less than a specified amount.

Increases from 60 to 80 percent the amount in total tax liability which certain large corporations must pay in estimated taxes. Phases in such increase over a three-year period.

Increases the rate of the employer and employee railroad retirement taxes. Allows the Railroad Retirement Account to borrow funds from the Treasury if the balance of such Account is insufficient to pay annuity amounts due. Revises the definition of "compensation" for purposes of the railroad retirement taxes.

Increases from $10 to $60 the amount of the filing fee the Tax Court is authorized to impose for the filing of any petition.

Title VIII: Miscellaneous Provisions.—Extends through December 31, 1983 the prohibition on the issuance of regulations on the taxation of fringe benefits. Extends through December 31, 1984, the exclusion from an employee's income of employer contributions to and benefits provided under a qualified group legal services plan.

Permits the exclusion from gross income of interest on certain industrial development bonds if the proceeds of such bonds are used to finance qualified mass vehicles which are leased to a publicly owned transportation system. Terminates such exclusion after 1984.

Provides that bonds issued by a volunteer fire department to finance the acquistion, construction, reconstruction, or improvement of firefighting property shall be treated as obligations of a local government and the interest on such bonds shall be excluded from gross income. Provides that a volunteer fire department qualifies for such tax treatment of its bonds if it: (1) is organized and operated to provide firefighting services in an area which does not have any other firefighting services; and (2) is required by local government to furnish firefighting services.

Applies such tax treatment retroactively for certain obligations held by the First Bank and Trust Company of Indianapolis, Indiana which were issued during a specified period.

Extends the excise tax on certain communications services through 1985.

Exempts from unemployment taxes the services of fishing boat crew members if the remuneration for such services is a share of the boat's catch and if the crew is less than ten individuals.

Reduces the amount of income a private foundation is required to distribute annually. Revises the definition of "operating foundation" for purposes of the taxation of such foundations for failure to distribute income.

Sets forth rules for the tax treatment of the sales of U.S. real property by foreign investors.

The Senate agreed to the following amendment:

S. Up. Amdt. No. 345, of a conforming and technical nature to SU320 (to H.J. Res. 266), sponsored by Mr. Armstrong.

Measure signed in Senate on August 12, 1981 and signed by the President on August 13, 1981 and became Public Law No. 97-34.

H.R. 4717, amends the Crude Oil Windfall Profit Tax Act of 1980 to defer for one year the effective date of the requirement that in cases of corporate liquidations a corporation inventorying goods under the last-in, first-out (LIFO) method of accounting treat the LIFO recapture amount with respect to distributed inventory assets as gain from the sale of such assets

Passed Senate amended by Voice Vote, December 16, 1981. Senate requested a Conference, December 16, 1981.

S. Res. 238, retains the deductability from personal taxes of interest paid on residential mortgages

Sponsored by Mr. Bentsen, was reported by the Senate Committee on Finance, and cosponsored by Mr. Symms; Mr. Nunn; Mr. Boren; Mr. Moynihan; Mr. Bradley; Mr. Sarbanes; Mr. Exon; Mr. Bumpers; Mr. Heflin; Mr. DeConcini; Mr. Sasser; Mr. Ford; Mr. Byrd, of Virginia; Mr. Johnston; Mr. Garn; Mr. Randolph; Mr. Pryor; Mr. Hollings; Mr. Cannon; Mr. Melcher; Mr. Zorinsky; Mr. Inouye; Mr. Mattingly; Mr. Riegle; Mr. Mitchell; Mr. Danforth; Mr. Dole; Mr. Heinz; Mr. Burdick; Mr. Wallop; Mr. Pressler; Mr. D'Amato; Mr. Roth; Mr. Baucus; Mr. Chiles; Mr. Thurmond; and Mrs. Hawkins.

Agreed to in Senate without amendment and with a preamble by Yea-Nay Vote. 83-0. Record Vote No. 458, December 7, 1981.

TRADE

S. 304, National Tourism Policy Act

Amends the International Travel Act of 1961 to change the name of such Act to the Tourism Promotion Act of 1981.

Establishes a national toursim policy designed to promote the economic, educational, and intercultural contributions of the U.S. tourism and recreation industries.

Directs the Secretary of Commerce, in implementing the national tourism policy established by this Act, to: (1) establish nine offices in foreign countries in addition to any which the Secretary may deem necessary and desirable; (2) establish facilitation services at major U.S. ports-of-entry; (3) consult with foreign governments on travel and tourism and represent U.S. travel and tourism interests; (4) develop and administer a program for travel industry information, data service, training and education, and technical assistance; (5) develop a program to provide Federal agencies with information regarding the needs and interests of the tourism industry; (6) encourage travel to and from the United States on U.S. carriers; (7) assure coordination within the Department of Commerce to implement the national tourism policy; and (8) submit annually to Congress a marketing plan to promote travel to the United States.

Authorizes the Secretary to provide financial assistance to regions of not less than two States or portions of two States for the implementation of regional tourism promotional and marketing programs which shall serve as demonstration projects.

Establishes in the Department of Commerce a United States Travel and Tourism Administration (in lieu of the present U.S. Travel Service) headed by an Under Secretary of Commerce for Travel and Tourism.

Directs the Secretary to designate an Assistant Secretary of Commerce for Tourism Marketing who shall be responsible for the marketing plan required by this Act.

Establishes a Tourism Policy Council to coordinate policies, programs, and issues relating to tourism, recreation, or national heritage resources involving Federal departments or agencies. Requires Federal departments and agenies to make available to the Council any personnel, information, and services which the Council may request. Directs the Council to establish policy committees to monitor specific areas of Federal activity related to tourism. Requires the Council to report annually on its activities to the President for transmittal to Congress.

Establishes the Travel and Tourism Advisory Board to advise the Secretary on the implementation of such Act and the Assistant Secretary for Tourism Marketing in the preparation of the marketing plan. Requires the Board to report annually on its activities.

Authorizes appropriations for fiscal year 1982. Directs the Secretary to establish the nine foreign offices required by this Act with funds appropriated for the International Trade Administration.

Sponsored by Mr. Pressler and cosponsored by Mr. Warner; Mr. Baker; Mr. Packwood; Mr. Inouye; Mr. Cannon; Mr. Exon; Mr. Long; Mr. Goldwater; Mr. Hollings; Mr. Ford; Mr. Kasten; Mr. Heflin; Mr. Schmitt; Mr. Randolph; Mr. Durenberger; Mr. Pryor; Mr. Stafford; Mr. Williams; Mr. Hayakawa; Mr. Huddleston; Mr. Sasser; and Mr. Abdnor.

Signed by the President on October 16, 1981 and became Public Law No. 97-63.

S. 708, Business Accounting and Foreign Trade Simplification Act

Amends the International Investment Survey Act of 1976 to require benchmark surveys of foreign direct investment in the United States covering 1980 and 1987 and every fifth year thereafter. Requires benchmark surveys of U.S. direct investment abroad covering 1982 and 1989 and every fifth year thereafter. Requires an annual compilation of currently available data on U.S. portfolio investment abroad.

Directs the Secretary of Commerce to report on the estimated cost of compiling data on legislation enacted by major U.S. trading partners and other foreign nations which regulates foreign inward investment in such nations. Deletes the requirement that the President report to Congress on any studies conducted pursuant to such Act. Authorizes appropriations to carry out such Act.

Sponsored by Mr. Chafee, was reported by the Senate Committee on Banking, Housing, and Urban Affairs, and cosponsored by Mr. Bentsen; Mr. Danforth; Mr. Garn; Mr. Dole; Mr. Goldwater; Mr. Hayakawa; Mr. Lugar; Mr. Mathias; Mr. Percy; Mr. Pressler; Mr. Roth; Mr. Thurmond; Mr. Tower; Mr. D'Amato; Mr. Schmitt; Mr. Inouye; and Mr. Jepsen.

Passed Senate with amendments by Voice Vote, November 23, 1981.

S. 734, Export Trade Association Act of 1981 Export Trading Company Act of 1981

Title I: Export Trading Companies.—Export Trading Company Act of 1981—Directs the Secretary of Commerce to promote export trading companies by providing information by facilitating contracts between producers of exportable goods and export trading companies.

Authorizes any banking organization to invest specified amounts in export trading companies upon notifying, but without obtaining the prior approval of, the appropriate Federal banking agency, if such investment does not cause any export trading company to become a subsidiary of such organization. Allows greater investment by Edge Act Corporations not engaged in banking. Permits any banking organization to invest beyond such limitations with prior approval of the appropriate Federal banking agency. Requires prior notification of such agencies in specified circumstances.

Sets forth further limitations on export trading companies and investments by banking organizations. Specifies factors to be taken into consideration by the banking agencies. Permits such agencies to impose conditions in approving applications to invest in export trading companies. Requires such agencies to report to the appropriate Congressional committees with their recommendations concerning implementation of this Act, related changes in U.S. law, and effects of ownership of U.S. banks by foreign banking organizations. Authorizes the appropriate Federal banking agency to exempt from specified requirements of the Federal Reserve Act any loan or extension of credit made by a national or State bank to an export trading company affiliate if such exemption is necessary to finance an affiliated export trading company and does not expose the bank to under financial risks. Provides for judicial review of denial orders in the appropriate U.S. Court of Appeals. Sets forth the gounds for disapproval. Provides for a remand for further consideration by the banking agency.

Directs the Export-Import Bank of the United States to provide loan guarantees for expansion to export trading companies or exporters when adequate financing is not otherwise available. Requires such loan guarantees to be secured by accounts receivable or inventories. Directs the Board of Directors to try to insure that a major share of such guarantees promotes exports from small, medium-size, and minority businesses or agricultural concerns.

Title II: Export Trade Associations—Export Trade Association Act of 1981.—Amends the Webb-Pomerene Act to exempt the trade, activities, and methods of operation of certified export trade associations and export trading companies from the antitrust laws. Delays the effectiveness of any certificate upon the notification of the Secretary of Commerce by the Attorney General or the Federal Trade Commission (FTC) of disagreement with the decision to issue a certificate.

Sets forth the procedure to be followed by any association or export trading company seeking certification under this Act and by the Secretary in issuing such certificates. Permits automatic certification for existing associations.

Provides for appeal of the Secretary's denial of certification. Requires firms to report changes in membership, export trade activities, or methods of operation to the Secretary and to apply for an amendment of their certificates. Directs the Secretary to revoke a firm's certificate if it does not comply with the requirements for an antitrust exemption or to amend such certificate so that it does comply with such requirements. Authorizes the Attorney General or the FTC to bring an action to revoke certification. Provides for judicial review of such actions. Requires the Secretary, in consultation with the Attorney General and the FTC, to publish certification guidelines. Requires certified associations and export trading companies to submit annual reports to the Secretary.

Requires, with specified exceptions, that all applications for certification be kept confidential. Authorizes the Secretary to require an association or trading company to modify its operation to be consistent with international obligations of the United States.

Directs the President to appoint, with the Senate's advice and consent, a task force, seven years after enactment, to examine the effect of this Act and to make recommendations.

Makes the amendments of the Webb-Pomerene Act set forth in this Act effective with regard to existing associations only at such time as such associations elect to be certified.

Sponsored by Mr. Heinz and cosponsored by Mr. Danforth; Mr. Bentsen; Mr. Tsongas; Mr. Abdnor; Mr. Baucus; Mr. Armstrong; Mr. Bradley; Mr. Chafee; Mr. Cochran; Mr. Bumpers; Mr. Cohen; Mr. Dole; Mr. Cannon; Mr. Dixon; Mr. Goldwater; Mr. Eagleton; Mr. Lugar; Mr. Mathias; Mr. Huddleston; Mr. Percy; Mr. Pressler; Mr. Melcher; Mr. Moynihan; Mr. Rudman; Mr. Specter; Mr. Randolph; Mr. Riegle; Mr. Stafford; Mr. Weicker; Mr. Williams; Mr. Leahy; Mr. D'Amato; Mr. Hayakawa; Mr. Boschwitz; Mr. Inouye; Mr. Cranston; Mr. Glenn; Mr. Schmitt; Mr. Mitchell; Mr. Levin; and Mr. DeConcini.

Passed Senate with amendments by Yea-Nay Vote. 93-0. Record Vote No. 83, April 8, 1981.

S. 1104, amends the International Investment Survey Act of 1976 to provide an authorization for further appropriations, to avoid unnecessary duplication of certain surveys, and for other purposes

Amends the International Investment Survey Act of 1976 to require benchmark surveys of foreign direct investment in the United States covering 1980 and 1987 and every fifth year thereafter. Requires benchmark surveys of U.S. direct investment abroad covering 1982 and 1989 and every fifth year thereafter. Requires an annual compilation of currently available data on U.S. portfolio investment abroad.

Directs the Secretary of Commerce to report on the estimated cost of compiling data on legislation enacted by major U.S. trading partners and other foreign nations which regulates foreign inward investment in such nations. Deletes the requirement that the President report to Congress on any studies conducted pursuant to such Act. Authorize appropriations to carry out such Act.

Sponsored by Mr. Pressler, was reported by the Senate Committee on Commerce, Science, and Transportation.

Signed by the President on August 7, 1981 and became Public Law No. 97-33.

S. 1105, authorizes Fiscal Year 1982 Funds for U.S. Travel Service

Amends the International Travel Act of 1961 to authorize appropriations for fiscal year 1982. Directs the Assistant Secretary of Commerce for Tourism to report to the Secretary of Commerce or, to the extent such authority is delegated, to the Deputy Secretary of Commerce.

Prohibits the Secretary from reducing: (1) the number of U.S. Travel Service employees in offices in foreign countries below the number in such offices in fiscal year 1979; and (2) the funding for such offices below the amount obligated for such offices in fiscal year 1980.

Sponsored by Mr. Pressler, was reported by the Senate Committee on Commerce, Science, and Transportation.

Passed Senate amended on June 2, 1981.

H.R. 1797, directs the Secretary of the department in which the United States Coast Guard is operating to cause the vessel Capt. Tom to be documented as a vessel of the United States so as to be entitled to engage in the coastwise trade

Passed Senate with an amendment on December 15, 1981.

H.R. 3567, Export Administration Amendments Act, 1981

Amends the Export Administration Amendments Act of 1981 to authorized appropriations for fiscal years 1982 and 1983 to carry out such Act. Prohibits any department or agency from withholding confidential information necessary for enforcement of such Act from any enforcement department or agency. Exempts census information from such prohibition.

Increases the maximum criminal fine: (1) for violations of such Act; and (2) for failure to report that goods exported under a validated license are being used by the importing country for military or intelligence gathering purposes contrary to the license conditions. Makes such fines less for individuals than in other cases.

Limits the civil fine for violations of such Act to $10,000 for individuals and to $100,000 in all other cases.

Prohibits the imposition of export controls on food if it is determined such controls would cause measurable malnutrition in the countries against whom the controls are proposed unless the President determines that the controls are necessary to protect U.S. security or that arrangements are insufficient to ensure that food will reach those most in need.

Amends the International Investment Survey Act of 1976 to authorize appropriations for fiscal years 1982 and 1983.

Passed Senate amended on November 12, 1981. Reported from Conference, December 11, 1981.

TRANSPORTATION

S. 929, Amateur Radio Service and Private Land Mobile and Fixed Services Act of 1981

Amends the Communications Act of 1934 to authorize the Federal Communications Commission (FCC) to regulate standards for audio and visual electronic equipment to reduce susceptibility to radio interference. Directs the FCC to regulate delivery of radio frequency transmitters, power amplifiers, or component kits to unlicensed persons. Exempts certain radio transmissions from the secrecy provisions of such Act. Extends the license terms of nonbroadcasting stations. Authorizes the FCC to employ volunteer licensed: (1) amateur station operators and citizens band radio operators to monitor violations; and (2) amateur station operators to adminster examinations for certain licenses.

Sponsored by Mr. Goldwater, was reported by the Senate Committee on Commerce, Science, and Transportation, and cosponsored by Mr. Packwood, Mr. Schmitt, Mr. Pressler, Mr. Stevens, Mr. Cannon, Mr. Hollings, and Mr. Inouye.

Passed Senate with amendments and an amendment to the Title by Voice Vote, September 25, 1981.

S. 1000, Independent Safety Board Act Amendments of 1981

Amends the Independent Safety Board Act of 1974 to authorize appropriations for the purposes of such Act for fiscal years 1981, 1982, and 1983. States that such sums shall remain available until expended.

States that certain investigations conducted by the National Transportation Safety Board shall have priority over all other investigations conducted by Federal regulatory agencies.

Includes aviation incidents under requirements binding on persons reporting such incidents subject to the Board's investigatory jurisdiction.

Specifies that any properly credentialed employee of the Board, in investigating a transportation accident, may examine and test any materials determined to be required for the purpose of the investigation.

Sponsored by Mr. Packwood.

Signed by the President on November 3, 1981 and became Public Law No. 97-74.

H.R. 3210, Federal Aid Highway Act of 1981

Amends the Surface Transportation Assistance Act of 1978 to increase the authorization of appropriations for: (1) the Federal-aid primary system of highways; (2) priority primary routes; (3) Interstate System resurfacing; and (4) bridge reconstruction and replacement.

Directs the Secretary of Transportation to make apportionments for fiscal years 1983 and 1984 for expenditures on the National System of Interstate and Defense Highways using specified apportionment factors.

Limits, to a specified sum, the total obligations for Federal-aid highways and highway safety construction programs for fiscal year 1982. Makes certain exceptions to such limitation. Directs the Secretary to distribute such sum according to a specified ratio. Exempts emergency repair or replacement projects from such limitations.

Prohibits, for the period October 1 through December 31, 1981: (1) a State from obligating more than 35 percent of its share of such sum; and (2) the total of all State obligations from exceeding 25 percent of the total amount distributed to all States. Sets forth provisions with regard to State authority over such obligations. Prohibits the Secretary from distributing amounts authorized for administrative expenses and forest highways.

Limits, to a specified sum, the total of all obligations for highway programs and school bus driver training.

Amends the Federal Aid Highway Act of 1956 to reduce the authorization of appropriations for expediting the construction or improvement of the Interstate System, including extensions through urban areas.

Limits, effective October 1, 1981, the obligation of funds authorized by such Act (except for advance construction projects approved before October 1, 1981) to the construction necessary to provide a minimum level of acceptable service on the Interstate System. Describes such minimum level of service.

Directs the Secretary to include only specified costs in making the revised estimate of the cost of completing the Interstate System.

Directs the Secretary to study the effects of limiting Interstate System construction to specified widths and designs.

Adjusts the apportionment ratio for funds for resurfacing, restoring, and rehabilitating the Interstate System.

Revises eligibility requirements for Interstate System resurfacing, restoration, rehabilitiation, and reconstruction. Specifies the Federal share of such projects.

Limits, to fiscal year 1982, the requirement that no State shall receive less than a specified percentage of the total Interstate System apportionment.

Authorizes the Secretary to reimburse the State of California for 75 percent of the cost of a specified Federal-aid urban system project.

Authorizes payment for construction of a certain two-lane bridge with a substructure and deck truss capable of supporting a four-lane bridge.

Makes interests earned and payable on specified highway construction bonds a construction cost eligible for reimbursement by the Secretary.

Prohibits the Secretary from approving Federal-aid system projects in any State whose laws do not constitute a substantial deterrent to violations of the maximum speed limit on public highways within its jurisdiction.

Passed Senate in Lieu of S. 1024 with an amendment by Voice Vote, November 16, 1981.

H.R. 4074, Maritime Act of 1981

Transfers all of the functions, powers, duties, assets, and liabilities of the Maritime Administration of the Department of Commerce to the Department of Transportation.

Establishes the office of the Maritime Administrator to head the Maritime Administration.

Transfers personnel employed in connection with the functions transferred by this Act.

Directs the Director of the Office of Management and Budget to make such incidental dispositions of personnel, assets, liabilities, records, and appropriations as may be necessary to carry out the provisions of this Act.

Makes conforming amendments to specified Acts.

Measure passed Senate July 29, 1981.

Became Public Law No. 97-31, August 6, 1981.

VETERANS

S. 266, Federal Interagency Medical Resources Sharing and Coordination Act of 1981

Establishes the Federal Interagency Medical Resources Committee to be composed of the Secretary of Defense and the Administrator of Veterans' Affairs or their designees. Directs the Committee: (1) to evaluate the opportunities for the interagency sharing of health resources between the Department of Defense and the Veterans' Administration; (2) to prescribe policies and procedures for such interagency sharing; and (3) within 180 days after enactment of this Act, to prescribe guidelines for such interagency sharing to the directors of health care facilities of the Department and the Administration. Requires such guidelines to provide that: (1) the director of each facility shall enter into cooperative arrangements for providing health care to beneficiaries of other facilities; (2) the availability of medical care to beneficiaries of an agency other than the providing agency shall be on a referral basis; and (3) an agency shall be reimbursed for a medical service provided to a beneficiary of another agency.

Directs the Committee to submit to the Committees on Appropriations of each House of Congress an annual report regarding interagency medical resource sharing activities.

Sponsored by Mr. Percy, was reported by the Senate Committee on Governmental Affairs and the Senate Committee on Veterans Affairs, and cosponsored by Mr. Cohen, Mr. Durenberger, Mr. Proxmire, and Mr. Simpson.

The Senate agreed to the following amendments:

S. Up. Amdt. No. 543, to designate the Veterans' Administration medical center in Indianapolis, Indiana, as the "Richard L. Roudebush Veterans' Medical Center," sponsored by Mr. Lugar joined by Mr. Quayle.

S. Up. Amdt. No. 544, to continue to provide for the continuation of Vietnam era veterans' entitlement to GI bill benefits for coorespondence training, sponsored by Mr. Simpson joined by Mr. Cranston.

Passed Senate with an amendment to the Title by Voice Vote, October 27, 1981.

S. 917, Veterans Disability Compensation and Survivors Benefits Amendments of 1981

Title I: Veterans' Disability Compensation Benefits.—Increases the rates of veterans' compensation for: (1) wartime disability compensation; (2) additional compensation for dependents; (3) clothing allowances paid to certain disabled veterans; and (4) the anatomical loss or loss of use of both hands or both arms.

Title II: Survivors' Dependency and Indemnity Compensation Benefits.—Increases the rates of veterans' dependency and indemnity compensation for: (1) a surviving spouse; (2) surviving children; and (3) supplemental children's benefits.

Title III: Automobile Assistance and Adaptive Equipment Amendments.—Increases the amount of assistance for providing an automobile or other conveyance to eligible veterans. Directs the

Administrator of Veterans' Affairs to provide automobile adaptive equipment for veterans entitled to compensation for ankylosis.

Title IV: Veterans' Administration Housing Benefits Amendments.—Permits the Administrator to guarantee graduated-payment plan home loans. Increases the maximum amount of assistance for specially adapted housing for disabled veterans. Extends the maximum terms of Veterans' Administration guaranteed loans for mobile home purchases. Extends the delimiting period for educational benefits for surviving spouses of certain service-connected disabled veterans. Permits the Administrator, in the case of certain State and local government institutions of higher learning, to waive the requirement that an institution make pro rata refunds to students who drop a course before completion before the Administrator can approve nonaccredited courses for the purpose of veterans' educational benefits.

Title V: Miscellaneous Provisions.—Requires the continued payment of a pension to a veteran undergoing a prescribed program of rehabilitation services while institutionalized.

Directs the Administrator to furnish a memorial headstone or market to commemorate any veteran whose remains are unavailable because of a donation to science, a burial at sea, or other causes. Directs the Administrator to set aside suitable areas in national cemeteries to honor such veterans.

Directs the Administrator to review and analyze the literature relating to the long-term adverse health effects in humans of exposure to radiation. Directs the Administrator to report to Congress on the results of such review with recommendations for future action. Requires the Administrator to prescribe regulations to be applied to the resolution of claims for benefits administered by the Veterans' Administration based on exposure during service in the armed forces to radiation from nuclear devices.

Sets forth the minimum active-duty service requirement to establish eligibility for veterans' benefits.

Designates the Veterans' Administration Medical Center in Reno, Nevada, as the "Ioannis A. Lougaris Veterans' Administration Medical Center.

Title VI: Effective Dates.—Sets forth the effective dates for the various provisions of this Act.

Sponsored by Mr. Simpson, was reported by the Senate Committee on Veterans' Affairs, and cosponsored by Mr. Cranston; Mr. Thurmond; Mr. Stafford; Mr. Kasten; Mr. Denton; Mr. Murkowski; Mr. Specter; Mr. Randolph; Mr. Matsunaga; Mr. DeConcini; and Mr. Mitchell.

The Senate agreed to the following amendments:

S. Up. Amdt. No. 294, to designate the hospital known as the Veterans' Administration Medical Center located in Reno, Nevada, as the "Ioannis A. Lougaris Veterans' Administration Medical Center," sponsored by Mr. Laxalt joined by Mr. Cannon.

S. Up. Amdt. No. 295, to increase the maximum loan period for home loans guaranteed by the Veterans' Administration for the purchase of mobile homes, to modify the manner in which the VA educational assistance delimiting period is measured in the case of a surviving spouse, and to provide for a waiver of a pro rata refund requirement in the cases of certain public institutions of higher learning, sponsored by Mr. Simpson joined by Mr. Cranston.

S. Up. Amdt. No. 462, in the nature of a substitute, sponsored by Mr. Simpson joined by Mr. Cranston.

Signed by the President on October 17, 1981 and became Public Law No. 97-66.

H.R. 1100, Prisoner of War Health Care Benefits Act of 1981

Directs the Administrator of Veterans' Affairs to establish the Advisory Committee on Former Prisoners of War to consult with concerning the administration of benefits and activities related to veterans held as prisoners of war (POW's). Requires that such committee include former POW's, disabled veterans, and individuals who are recognized authorities in certain fields of medicine. Directs the Committee to submit to the Administrator for transmittal to Congress a biennial report on such programs and activities.

Reduces from six months to 30 days the minimum period of imprisonment necessary to trigger the presumption that specified diseases and disabilities are confinement-related. Makes POW's held for any period of time, with the disease of psychosis which becomes manifest to a degree of ten percent, presumptively eligible for wartime disability benefits. Entitles former POW's to hospital, nursing home, and domiciliary care. Entitles such veterans to priority in the furnishing of medical services.

Directs the Administrator, after consulting with the Advisory Committee, to conduct and report to Congress on a further study of the health of former POW's.

Permits former POW's to refile a claim for disability compensation based upon a mental disorder previously disallowed.

Measure signed in Senate on August 5, 1981 and signed by the President on August 14, 1981 and became Public Law No. 97-37.

H.R. 2156, extends from six to seven years the period during which funds appropriated for grants by the Veterans Administration for the establishment and support of new State medical schools may be expended

Measure signed in Senate on June 5, 1981 and signed by the President on June 17, 1981 and became Public Law No. 97-15.

H.R. 3499, Veterans Health Care Act of 1981

Extends from December 31, 1981, to September 30, 1982, the authority of the Administrator of Veterans' Affairs to contract for hospital care or medical services in Puerto Rico and the Virgin Islands without reference to patient loads or incidence of provision of medical services for veterans treated by the Veterans' Administration in the contiguous 48 states.

Entitles to hospital, nursing home, and domiciliary care those veterans disabled by exposure to: (1) dioxin or any other toxic substance found in an herbicide, or a malaria preventive medication while serving on active duty in Vietnam; or (2) radiation while participating in a nuclear weapons test while serving in the line of duty. Sets a time limit on the provision of such care.

Measures the eligibility period for outpatient dental services for military personnel from the date of subsequent discharge from military service for a person who reenters active service within one year from such person's prior discharge.

Extends through September 30, 1984 (three additional years) the period during which Vietnam-era veterans may initially request psychological readjustment counseling. Excludes from such time limitation any time during such period in which such veteran was prevented from receiving such counseling: (1) because of a medical condition; or (2) because such veteran was incarcerated in a penal institution.

Requires the Administrator during the final year of such program to provide for and report to Congress on an orderly transaction of such program to Veterans' Administration health care facilities.

Extends the delimiting periods for vocational rehabilitation and educational assistance for eligible veterans and survivors of such veterans with an alcohol or drug dependence. Extends the delimiting period for educational assistance for specified Vietnam-era veterans for vocational training.

Extends through September 30, 1984 (three additional years) the Vietnam-era veterans' readjustment appointments in the Federal Government.

Extends for one year the period during which funds appropriated for the establishment of a new State medical school may be expended.

Amends the Veterans Health Programs Extension and Improvement Act of 1979 to permit the expansion of the scope of the epidemiological study of the health effects of Agent Orange to include: (1) an evaluation of the long term adverse health (including genetic and psychological) effects in humans serving in the armed forces of the United States in Vietnam during the Vietnamese conflict, or other factors involved in such service, including exposure to other herbicides, chemicals, medications, or environmental hazards or conditions; and (2) the means of detecting and treating such effects. Permits the Administrator of Veterans' Affairs to include such factors and treatment within the scope of the ongoing analysis and review of the literature covering other studies relating to the effects of Agent Orange.

Directs the Administrator to prescibe regulations establishing guidelines, standards, and criteria for resolving claims for benefits establishing exposure to Agent Orange and such other factors during such conflict.

Amends the Veterans' Disability Compensation and Housing Benefits Amendments of 1980 to repeal a provision modifying the way in which employees working on a less than full-time basis in the Veterans' Administration's Department of Medicine and Surgery receive credit for such employment when their civil service annuities are computed.

Increases the maximum amount of insurance obtainable under Servicemen's Group Life Insurance and Veterans' Group Life Insurance.

Measure signed in Senate on October 22, 1981 and signed by the President on November 3, 1981 and became Public Law No. 97-72.

PROCLAMATIONS

H.J. Res. 182, requests the President to designate April 26, 1981, as "National Recognition Day for Veterans of the Vietnam Era"

Measure signed in Senate on April 1, 1981 and signed by the President on April 14, 1981 and became Public Law No. 97-9.

TREATIES

TREATY WITH CANADA TO SUBMIT TO BINDING DISPUTE SETTLEMENT THE DELIMITATION OF THE MARITIME BOUNDARY IN THE GULF OF MAINE AREA

Ex. U, 96th-1st—Resolution of ratification agreed to April 29, 1981.

Provides for the delimitation of the maritime boundary in the Gulf of Maine area by a Chamber of the International Court of Justice or, if such a chamber cannot be constituted in accordance with the wishes of the Parties, by an *ad hoc* Court of Arbitration. If chamber is not constituted during a 6-month period after entry into force, either Party is empowered to cancel the Special Agreement contained in Annex I to the Treaty. If the Special Agreement is terminated, an *ad hoc* Court of Arbitration automatically enters into force on terms and conditions set forth in Annex II, The Arbitration Agreement. Article IV is amended to remove the requirement that the East Coast Fishery Resources Agreement must enter into force in order for the Boundary Treaty to do so—thereby delinking the Boundary Treaty and Fisheries Agreement.

PROTOCOL AMENDING THE INTERIM CONVENTION ON CONSERVATION OF NORTH PACIFIC FUR SEALS, BETWEEN THE UNITED STATES, CANADA, JAPAN, AND THE SOVIET UNION

Ex. S, 96th-2d—Resolution of ratification agreed to June 11, 1981.

Extends the Interim Convention on Conservation of North Pacific Fur Seals, signed in 1957 and expired October 14, 1980, for a period of four years. Continues prohibition now being observed with respect to pelagic or high seas sealing. Provides joint research program designed to furnish, as appropriate, sufficient factual data to conserve the fur seal herds of the North Pacific Ocean at a level of maximum sustainable productivity.

AGREEMENT ON EAST COAST FISHERY RESOURCES WITH CANADA

Ex. V, 96th-1st—S. Ex. Res. 1, providing for the return to the President of the Agreement, agreed to June 17, 1981.

The fisheries treaty provided for the conservation, management and utilization of fish stocks of mutual interest off the east coast of the United States and Canada. Detailed entitlement shares for various fish stocks were set forth, with the shares subject to review every 10 years. A joint fisheries commission would be set up to implement the agreement, including dispute settlement mechanisms. On March 6, 1981, the President asked the Chairman of the Committee on Foreign Relations to uncouple this treaty and Ex. U, 96-1, after members of the Senate leadership advised him the treaties could not be ratified as they were. On April 21, he requested that the fisheries agreement be returned to him without action.

TREATY WITH CANADA ON PACIFIC COAST ALBACORE TUNA VESSELS AND PORT PRIVILEGES

Treaty Doc. 97-13—Resolution of ratification agreed to July 20, 1981.

Provides reciprocal port access and loading privileges for albacore tuna to U.S. and Canadian fishermen in British Columbia and in Oregon, Washington, and California. Guarantees free and unlimited fishing for vessels of both countries fishing for albacore tuna off Canada and the United States beyond 12 miles from the coast.

REVISED CUSTOMS CONVENTION ON THE INTERNATIONAL TRANSPORT OF GOODS UNDER COVER OF TIR CARNETS

Ex. M, 95th-1st—Resolution of ratification agreed to July 30, 1981.

Modernizes and expands the 1959 convention which governed the international transport of goods by motor carrier. Simplifies and standardizes documentation and customs procedures required of international trade. Expands coverage from road vehicles to other means of transit, such as ship and rail. Establishes a procedure to certify that trucks and containers have been constructed to minimize the risk of concealment of goods.

CONVENTION ON THE PHYSICAL PROTECTION OF NUCLEAR MATERIAL

Ex. H, 96th-2d—Resolution of ratification agreed to July 30, 1981.

Obligates each state party to the treaty "to take appropriate steps within the framework of its national law and consistent with international law to ensure as far as practicable that, during international nuclear transport, nuclear material within its territory, or on board a ship or aircraft under its jurisdiction . . . is protected at the levels described in Annex I" of the agreement. Provides that states parties shall obtain assurances from countries who receive such materials that the prescribed standards will be observed. Obligates parties to exchange information relating to unauthorized "removal, use or alteration" of nuclear material and to cooperate in the prosecution or extradition of people who engage in such actions.

AMENDMENTS TO THE INTERGOVERNMENTAL MARITIME CONSULTATIVE ORGANIZATION CONVENTION

Ex. K, 96th-2d—Resolution of ratification agreed to July 30, 1981.

Update the charter and structural organization of the International Maritime Consultative Organization, whose membership had increased from 21 in 1958 to 118 in 1980. Increase the size of the IMCO Council, to provide for distribution of the expanded Council among three categories of states and to increase the number of

Council members that constitute a quorum. Create a procedure for a member's withdrawal from the IMCO should it disagree with an amendment to the Convention.

INTERNATIONAL CONVENTION AGAINST THE TAKING OF HOSTAGES

Ex. N, 96th-2d—Resolution of ratification agreed to July 30, 1981.

Provides an international legal framework for the apprehension and prosecution of people who seize or detain and threaten to kill, injure or continue to detain another person in order to compel a third party to do or not to do something as a condition for their release. Parties agree to make such offenses criminal under their domestic laws and to prosecute or extradite persons reasonably accused of such crimes. Complements the Convention on the Prevention and Punishment of Crimes Against Internationally Protected Persons, Including Diplomatic Agents, already in force for the United States.

TREATY WITH COLOMBIA CONCERNING THE STATUS OF QUITA SUENO, RONCADOR, AND SERRANA

Ex. A, 93d-1st—Resolution of ratification agreed to July 31, 1981.

Renounces U.S. claim of sovereignty, established in 1869, over the three reefs. Guarantees protection of fishing rights of U.S. citizens and vessels. Insures that the navigational aids established on the reefs will be maintained by the Colombian government. Understanding specifies that United States and Colombia recognize that the World Court has an integral and necessary part to play in resolving territorial disputes of this nature (Nicaragua claims the reefs to be under its jurisdiction), and that nothing in the Treaty is deemed to prejudice the claims of any other nation involved in the controversy.

ADDITIONAL PROTOCOL I TO THE TREATY FOR THE PROHIBITION OF NUCLEAR WEAPONS IN LATIN AMERICA, ALSO KNOWN AS THE TREATY OF TLATELOLCO

Ex. I, 95th-2d—Resolution of ratification agreed to November 13, 1981.

Brings within the scope of the proposed Latin American nuclear free zone those territories which are the responsibility, *de jure* or *de facto,* of non-Latin American states. Obligates the United States not to test, use, store, or deploy nuclear weapons in Puerto Rico, the Virgin Islands, and the Guantanamo Naval Base. Understandings specify that United States has the right to transport nuclear weapons through the Latin American zone on vessels and aircraft.

CONVENTION WITH ISRAEL WITH RESPECT TO TAXES ON INCOME

Ex. C, 94th-2d—Resolution of ratification agreed to November 18, 1981.

PROTOCOL AMENDING THE CONVENTION WITH ISRAEL WITH RESPECT TO TAXES ON INCOME

Ex. M, 96th-2d—Resolution of ratification agreed to November 18, 1981.

Reduces or eliminates potential double taxation of income earned by citizens and residents of either country from sources within the other country; prevents avoidance or evasion of the income taxes of the two countries. Encourages international trade and investment; eliminates possible barriers to trade caused by overlapping taxing jurisdiction of the two countries. Substantially similar to other recent U.S. income tax treaties, the U.S. model income tax treaty, and model income tax treaty of the Organization of Economic Cooperation and Development; but differs in certain respects to reflect Israel's status as a developing country and the U.N. model for tax treaties between developed and developing countries. Contains a new provision, not found in previous U.S. tax treaties, which details the U.S. tax treatment of certain Israeli governmental grants designed to stimulate U.S. investment in Israel. Contains a provision not found in previous tax treaties (although also contained in the Moroccan treaty) under which certain Israeli compulsory war loans and security loans will be treated as income taxes so that the United States will allow a foreign tax credit for the loan. The treaty and protocol replaced the proposed treaty with Israel which was signed on June 29, 1965 (Executive F, 89th Congress, 1st Session), but never brought into force. That proposed treaty was withdrawn from the Senate.

TREATY WITH MALTA WITH RESPECT TO TAXES ON INCOME, TOGETHER WITH A RELATED EXCHANGE OF NOTES

Ex. E, 96th-2d—Resolution of ratification agreed to November 18, 1981.

Reduces or eliminates potential double taxation of income earned by citizens and residents of either country from sources within the other country; prevents avoidance or evasion of the income taxes of the two countries. Promotes closer economic cooperation between the two countries; eliminates possible barriers to trade caused by overlapping taxing jurisdictions of the two countries. Similar to other recent U.S. income tax treaties, the U.S. model income tax treaty, and the model income tax treaty of the Organization of Economic Cooperation and Development (OECD). Certain deviations from the model reflect Malta's status as a developing country, and the influence of the United Nation's model for tax treaties between developed and developing countries. Contains the standard provision (the "saving clause") contained in U.S. tax treaties that each country retains the right to tax its citizens and residents as if the treaty had not come into effect. Contains the standard provision that the treaty will not be applied to deny any taxpayer any benefits he would be entitled to under the domestic law of either country or under any other agreement between the two countries; that is, the treaty will only be applied to the benefit of taxpayers. Differs from most U.S. treaties by treating a U.S. citizen as a U.S. resident. This extends coverage to U.S. citizens residing outside the United States.

CONVENTION WITH EGYPT FOR THE AVOIDANCE OF DOUBLE TAXATION AND THE PREVENTION OF FISCAL EVASION WITH RESPECT TO TAXES ON INCOME

Ex. U, 96th-2d—Resolution of ratification agreed to November 18, 1981.

Reduces or eliminates potential double taxation of income earned by citizens and residents of either country from sources within the other country; prevents avoidance or evasion of the income taxes of the two countries. Promotes closer economic cooperation between the two countries; eliminates possible barriers to trade caused by overlapping taxing jurisdictions of the two countries. Similar to other recent U.S. income tax treaties, the U.S. model income tax treaty, and the model income tax treaty of the Organization of Economic Cooperation and Development (OECD). However, there are certain deviations from the model to reflect Egypt's status as a developing country, and the influence of the United Nation's model for tax treaties between developed and developing countries.

CONVENTION WITH BANGLADESH FOR THE AVOIDANCE OF DOUBLE TAXATION AND THE PREVENTION OF FISCAL EVASION WITH RESPECT TO TAXES ON INCOME, TOGETHER WITH A RELATED EXCHANGE OF NOTES

Ex. Y, 96th-2d—Resolution of ratification agreed to November 18, 1981.

Reduces or eliminates potential double taxation of income earned by citizens and residents of either country from sources within the other country; prevents avoidance or evasion of the income taxes of the two countries. Promotes closer economic cooperation between the two countries; eliminates possible barriers to trade caused by overlapping taxing jurisdictions of the two countries. Similar to other recent U.S. income tax treaties, the U.S. model income tax treaty, and the model income tax treaty of the Organization of Economic Cooperation and Development (OECD). Certain deviations from the model reflect Bangladesh's status as a developing country, and the influence of the United Nation's model for tax treaties between developed and developing countries.

PROTOCOL AMENDING THE CONVENTION WITH NORWAY FOR THE AVOIDANCE OF DOUBLE TAXATION AND THE PREVENTION OF FISCAL EVASION WITH RESPECT TO TAXES ON INCOME AND PROPERTY

Ex. Z, 96th-2d—Resolution of ratification agreed to November 18, 1981.

Contains modifications to the tax treaty between the United States and the Kingdom of Norway, signed in 1971. Provides that the special tax imposed by Norway on submarine petroleum resources by the Petroleum Tax Act of 1975 (the "PTA") is a covered tax and is creditable for U.S. purposes. Allows each country to tax under its domestic laws persons engaged in activities in connection with the exploration for or exploitation of, for more than 30 days in a 12-month period, seabed mineral resources situated in that country. This provision will primarily affect U.S. independent drilling contractors who are using movable drillings rigs to undertake exploratory drilling for oil in the Norwegian sector of the North Sea and other service companies carrying on ancillary services in connection with drilling.

CONVENTION WITH THE FEDERAL REPUBLIC OF GERMANY FOR THE AVOIDANCE OF DOUBLE TAXATION AND THE PREVENTION OF FISCAL EVASION WITH RESPECT TO TAXES ON ESTATES, INHERITANCES, AND GIFTS

Treaty Doc. 97-1—Resolution of ratification agreed to November 18, 1981.

Alleviates double taxation on estates of U.S. citizens and domiciliaries and German domiciliaries and on gifts made by or received by those persons by modifying the two countries' jurisdictional rules in two ways. An individual's country of domicile has primary tax jurisdiction on the estates and gifts of its domiciliaries. However, real property and business property located in the other country ("situs country") are subject to primary tax jurisdiction in the situs country. In situations where both countries under their own domestic law consider an individual to be a domiciliary, the individual will be treated as having only one country of domicile for purposes of the taxes covered by the treaty. Sets forth several criteria to determine which country is the country of domicile.

AGREEMENT WITH SPAIN EXTENDING FOR A PERIOD OF 8 MONTHS THE RIGHTS, DUTIES AND OBLIGATIONS OF THE TWO COUNTRIES UNDER THE TREATY OF FRIENDSHIP AND COOPERATION OF JANUARY 24, 1976

Treaty Doc. 97-20—Resolution of ratification agreed to November 18, 1981.

Extends until May 21, 1982, the 1976 Treaty of Friendship and Cooperation betwen the United States and Spain which expired on September 21, 1981. The Foreign Relations Committee received a notice from the President on October 9, 1981, of an extension of the agreement (exchange of notes at Madrid on September 4, 1981) subject to the advice and consent of the Senate. Assures the continued availability to the United States of three air bases and one naval base in Spain. To this end, various forms of military assistance, sales, and other benefits totalling $1.2 billion were provided over a 5-year period. However, the extension agreement does not in itself commit the United States to additional levels of assistance. During the 8-month period, negotiations are to continue on a successor agreement to the treaty.

CONVENTION WITH THAILAND FOR THE AVOIDANCE OF DOUBLE TAXATION AND THE PREVENTION OF FISCAL EVASION WITH RESPECT TO TAXES ON INCOME

Ex. E, 89th-1st—S. Ex. Res. 2, providing for the return to the President of the convention, agreed to December 1, 1981.

CONVENTION WITH ISRAEL FOR THE AVOIDANCE OF DOUBLE TAXATION OF INCOME AND FOR THE ENCOURAGEMENT OF INTERNATIONAL TRADE AND INVESTMENT

Ex. F, 89th-1st—S. Ex. Res. 2, providing for the return to the President of the convention, agreed to December 1, 1981.

CONVENTION WITH EGYPT FOR THE AVOIDANCE OF DOUBLE TAXATION AND THE PREVENTION OF FISCAL EVASION WITH RESPECT TO TAXES ON INCOME

Ex. D, 94th-2d—S. Ex. Res. 2, providing for the return to the President of the convention, agreed to December 1, 1981.

Two of these treaties, those with Israel and Egypt, were superceded by subsequently negotiated agreement, both ratified. In submitting the newer agreements, Presidents Ford and Carter requested that earlier proposed agreements be returned. The third treaty, that with Thailand, was on the Foreign Relations Committee's calendar for 15 years and was no longer regarded as a live proposal by the President.

TREATY OF EXTRADITION WITH THE NETHERLANDS

Treaty Doc. 97-7—Resolution of ratification agreed to December 2, 1981.

One of a modern series of extradition treaties that have been negotiated by the United States. Identifies the offenses for which extradition will be granted, establishes procedures to be followed in presenting extradition requests, enumerates exceptions to the duty to extradite, specifies the evidence required to support a finding of a duty to extradite, and sets forth administrative provisions for bearing costs and legal representation. Replaces U.S.-Netherlands extradition treaties of 1887 and 1904. New features include: A comprehensive scheduled list of 36 extraditable offenses, including those relating to drug trafficking, aircraft hijacking, obstruction of justice, and the international transfer of funds; an exception for political offenses which will permit the Secretary of State to determine whether the offense in question was a political one; and a provision that in special circumstances, i.e., having regard to the age, health or other personal conditions of the persons sought, the Requested State may refuse extradition where it has reason to believe that the extradition is "incompatible with humanitarian considerations."

TREATY OF EXTRADITION WITH COLOMBIA

Treaty Doc. 97-8—Resolution of ratification agreed to December 2, 1981.

One of a modern series of extradition treaties that have been negotiated by the United States. Identifies the offenses for which extradition will be granted, establishes procedures to be followed in presenting extradition requests, enumerates exceptions to the duty to extradite, specifies the evidence required to support a finding of a duty to extradite, and sets forth administration provisions for bearing costs and legal representation. Replaces U.S.-Colombia extradition treaties of 1888 and 1940. New features are similar to those of U.S.-Netherlands extradition treaty.

Treaty on Mutual Legal Assistance With Colombia

Treaty Doc. 97-11—Resolution of ratification agreed to December 2, 1981.

Provides for assistance in any kind of government investigation or proceeding whether it be criminal, civil, or administrative. As a result, mutual assitance could be made available at both the investigatory and trial stages. This would include Grand Jury proceedings in the United States. Does not require that the act under investigation be one which is subject to the jurisdiction of the judicial authorities of the parties. As a result, it is possible for administrative agencies in both parties to render assistance even though the subject matter may not be subsequently considered by the courts (e.g., the sharing of data on the movements of suspected drug traffickers).

Treaty on Mutual Legal Assistance With the Netherlands Together With a Related Exchange of Notes

Treaty Doc. 97-16—Resolution of ratification agreed to December 2, 1981.

Articulates the general obligation of the parties to render assistance in criminal matters and specifically includes criminal investigation in this category to make it clear that assistance will be rendered whether or not formal charges h[illegible] been filed. Unlike the Colombian Mutual Legal Assistance T[illegible], does not extend to civil or administrative matters. However, the parties do not rule out the use of evidence or information obtained under this treaty for criminal investigations and proceedings other than that for which assistance is originally requested or for civil or administrative proceedings.

Consular Convention With the People's Republic of China

Treaty Doc. 97-3—Resolution of ratification agreed to December 11, 1981.

Similar in scope and content to consular conventions which have been negotiated by the United States during the last decade, mostly with East European countries. Addresses problems such as (1) consular notification and access to detained nationals of the sending state and (2) protection of property interests (including interests in estates) of United States nationals, both those residing in China and those in the United States who have interests in property in China. Establishes firm obligations in, e.g., free communication between a citizen and his consul, notification to consular officers of the arrest and detention of their citizens, and permission for visits by consuls of those detained. The consuls of both countries will also be authorized to perform the customary wide variety of other consular services which contribute to the improvement of both governmental and commercial interaction between countries. Guarantees that a consular officer of a sending state will be notified within a maximum of 4 days of the arrest or detention of a national of the sending state. The consular officer is further entitled to visit such national within 2 days from the date of the notification of arrest or detention as well as to attend the trial of such person. These guarantees are particularly important for the performance of consular functions in China in view of its large geographic area, its relatively unsophisticated communications system, as well as Chinese legal limitations on access to persons who have been arrested or detained.

RECIPROCAL FISHERIES AGREEMENT WITH THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

Ex. L., 96th-2d—Resolution of ratification agreed to December 16, 1981.

Replaces a similar arrangement which was entered into in 1977 and expired on December 31, 1978. Permits traditional, small-scale fishing operations in the Virgin Islands area indefinitely to continue at their present levels.

CONVENTION OF THE CONSERVATION OF ANTARCTIC MARINE LIVING RESOURCES

Ex. X, 96th-2d—Resolution of ratification agreed to December 16, 1981.

Adopted at a diplomatic conference at Canberra which included the 13 nations which are Antarctic Treaty Consultative Parties and a number of international organizations. Establishes international mechanism and legal obligations necessary for the protection and conservation (including rational use) of the marine living resources found in the waters surrounding Antarctica. Provides for an ecosystem approach to the management of the marine living resources. Applies to the populations of all living resources of the Antarctic marine ecosystem, defined as all species, including birds, found in marine areas south of the Antarctic Convergence, and their relations with each other and with their physical environment.

TAX CONVENTION WITH THE REPUBLIC OF THE PHILIPPINES

Ex. C, 95th-1st—Resolution of ratification agreed to December 16, 1981.

Reduces or eliminates potential double taxation of income earned by citizens and residents of either country from sources within the other country and prevents avoidance or evasion of the income taxes of the two countries. Promotes closer economic cooperation between the two countries and eliminates possible barriers to trade caused by overlapping taxing jurisdictions of the two countries. Similar to other recent U.S. income tax treaties, the U.S. model income tax treaty, and the model income tax treaty of the Organization for Economic Cooperation and Development (OECD). Deviations from the model reflect the Philippines' status as a developing country. Differs somewhat from the current U.S. and OECD models because it was signed in 1976; differences are addressed in reservations and understandings.

TAX CONVENTION AND PROTOCOL WITH JAMAICA

Ex. O, 96th-2d, and Treaty Doc. 97-17—Resolution of ratification agreed to December 16, 1981.

Replaces the 1959 extension to Jamaica of the 1945 income tax treaty between the United States and the United Kingdom, as subsequently modified. Reduces or eliminates potential double taxation of income earned by citizens and residents of either country from sources within the other country and prevents avoidance or evasion of the income taxes of the two countries. Promotes closer economic cooperation between the two countries and eliminates possible barriers to trade caused by overlapping taxing jurisdictions of the two countries. Similar to other recent U.S. income tax treaties and to the model income tax treaty of the Organization for Economic Cooperation and Development (OECD) in many respects, but in a number of respects accords greater jurisdiction to tax to the country of source, rather than to the country of residence, thus reflecting Jamaica's status as a developing country and the influence of the United Nations model for income tax treaties between developing and developed countries.

THREE AVIATION PROTOCOLS

Ex. N, 96th-1st; Ex. O, 96th-1st; Treaty Doc. 97-4—Resolution of ratification agreed to December 16, 1981.

Technical amendments to the 1944 Chicago Convention on International Civil Aviation. The first two protocols concern addition of the authentic Russian language text to the 1944 Convention. Treaty Doc. 97-4 provides authority for States who lease or charter aircraft to other States or the citizens of other States to transfer the functions and duties of a State Party under the Chicago Convention to that other operator.

PROTOCOLS TO THE WHEAT AGREEMENT

Treaty Doc. 97-9—Resolution of ratification agreed to December 16, 1981.

Extend for two additional years the Wheat Trade Convention and the companion Food Aid Convention which together consitute the current International Wheat Agreement.

TAX CONVENTION WITH THE REPUBLIC OF ARGENTINA, WITH RELATED PROTOCOL

Treaty Doc. 97-10—Resolution of ratification agreed to December 16, 1981.

Based on the United States model published in May 1977 and the OECD model published in January 1977 and takes into account the guidelines developed by the United Nations Ad Hoc Group of Experts on income tax treaties between developed and developing countries, but more limited than those models because of the particular features of Argentina's income tax system which relies on source basis taxation to an unusual extent. The first such convention to be entered into by the United States with a Latin American country. Represents a compromise between the Argentine position that tax should be imposed only at source and the broader view of the United States and most other countries that tax may also be imposed on the basis of residence.

TAX TREATIES WITH CYPRUS AND THE BRITISH VIRGIN ISLANDS

Ex. I, 96th-2d; Treaty Doc. 97-6—S. Ex. Res. 4, providing for the return to the President of the treaties, agreed to December 16, 1981.

Returns pending treaties to President for renegotiation, as requested by Department of Treasury September 15, 1981. Both jurisdictions are tax havens. The pending treaties with both were designed to prevent, or at least limit, the extent to which residents of third countries can use these treaties, in conjunction with favorable internal law provisions of those jurisdictions, to receive U.S. treaty benefits. Treasury Department concluded, on the basis of review of these treaties, that the opportunities which potentially remain for such use are too great to tolerate.

NOMINATIONS CONFIRMED

January 20

Caspar W. Weinberger, of California, to be Secretary of Defense

January 21

Alexander M. Haig, Jr., of California, to be Secretary of State
Richard S. Schweiker, of Pennsylvania, to be Secretary of Health and Human Services
William E. Brock III, of Tennessee, to be U.S. Trade Representative
Donald T. Regan, of New Jersey, to be Secretary of the Treasury

January 22

William French Smith, of California, to be Attorney General
John R. Block, of Illinois, to be Secretary of Agriculture
Malcolm Baldridge, of Connecticut, to be Secretary of Commerce
Samuel R. Pierce, Jr., of New York, to be Secretary of Housing and Urban Development
Andrew L. Lewis, Jr., of Pennsylvania, to be Secretary of Transportation
James G. Watt, of Colorado, to be Secretary of the Interior
James B. Edwards, of South Carolina, to be Secretary of Energy
T. H. Bell, of Utah, to be Secretary of Education
75 Air Force nominations in the rank of General
Routine lists of nominations in the Army, Navy, Air Force, and Marine Corps

January 27

William J. Casey, of New York, to be Director of Central Intelligence
David A. Stockman, of Michigan, to be Director of the Office of Management and Budget

January 29

Jeane J. Kirkpatrick, of Maryland, to be U.N. Representative
Darrell M. Trent, of California, to be Deputy Secretary of Transportation
John F. Lehman, Jr., of Virginia, to be Secretary of the Navy
John O. Marsh, Jr., of Virginia, to be Secretary of the Army

February 3

Raymond J. Donovan, of New Jersey, to be Secretary of Labor
Frank C. Carlucci, of Virginia, to be Deputy Secretary of Defense

February 5

B. R. Inman, to be Admiral in the U.S. Navy
Admiral B. R. Inman, to be Deputy Director of Central Intelligence
Donald P. Hodel, of Oregon, to be Under Secretary of the Interior

February 6

Ray A. Barnhart, of Texas, to be Administrator, Federal Highway Administration, Department of Transportation
Verne Orr, of California, to be Secretary of the Air Force
Edward C. Schmults, of Connecticut, to be Deputy Attorney General
89 Army nominations in the rank of General
Routine list of Foreign Service officer nominations

February 16

R. T. McNamar, of California, to be Deputy Secretary of the Treasury
W. Dennis Thomas, of Maryland, to be Deputy Under Secretary of the Treasury

February 24

Richard E. Lyng, of Virginia, to be Deputy Secretary of Agriculture
William P. Clark, of California, to be Deputy Secretary of State
Murray L. Weidenbaum, of Missouri, to be a member of the Council of Economic Advisers

February 26

James L. Buckley, of Connecticut, to be Under Secretary of State for Coordinating Security Assistance Programs
Richard T. Kennedy, of the District of Columbia, to be Under Secretary of State for Management
Walter J. Stoessel, Jr., of California, to be Under Secretary of State for Political Affairs
Richard Fairbanks, of the District of Columbia, to be an Assistant Secretary of State for Congressional Relations
Robert C. McFarlane, of Maryland, to be Counselor of the Department of State
M. Peter McPherson, of Maryland, to be Administrator of the Agency for International Development
Routine list of nominations in the Foreign Service

March 3

Edwin L. Harper, of Missouri, to be Deputy Director of the Office of Management and Budget

March 10

Roscoe L. Egger, Jr., of the District of Columbia, to be Commissioner of Internal Revenue
John E. Chapoton, of Texas, to be an Assistant Secretary of the Treasury
Paul C. Roberts, of Virginia, to be an Assistant Secretary of the Treasury
Robert W. Blanchette, of Maryland, to be Administrator of the Federal Railroad Administration
John M. Fowler, of Pennsylvania, to be General Counsel of the Department of Transportation
Judith T. Connor, of New York, to be an Assistant Secretary of Transportation

Lee L. Verstandig, of the District of Columbia, to be an Assistant Secretary of Transportation

30 Army nominations in the rank of General

47 Navy nominations in the rank of Admiral

1 Air Force nomination in the rank of General

20 Marine Corps nominations in the rank of General

Routine lists of nominations in the Navy and Air Force

March 12

Albert Angrisani, of New Jersey, to be an Assistant Secretary of Labor

T. Timothy Ryan, Jr., of Virginia, to be Solicitor for the Department of Labor

March 17

C. W. McMillan, of Virginia, to be an Assistant Secretary of Agriculture

Angela M. Buchanan, of the District of Columbia, to be Treasurer of the United States

David B. Swoap, of Virginia, to be Under Secretary of Health and Human Services

Ricardo M. Urbina, to be an Associate Judge of the Superior Court of the District of Columbia

Thorne G. Auchter, of Florida, to be an Assistant Secretary of Labor

March 23

Donald I. Hovde, of Wisconsin, to be Under Secretary of Housing and Urban Development

Donald J. Devine, of Maryland, to be Director of the Office of Personnel Management

March 26

Michael Cardenas, of California, to be Administrator of the Small Business Administration

O. Rudolph Aggrey, of the District of Columbia, to be a Foreign Service Officer in the class of career minister, a consular officer, and a secretary in the Diplomatic Service

William F. Baxter, of California, to be an Assistant Attorney General

1 Air National Guard nomination in the rank of Brig. General

March 27

Norman B. Ture, of Virginia, to be Under Secretary of the Treasury

Beryl W. Sprinkel, of Illinois, to be Under Secretary of the Treasury for Monetary Affairs

Charles M. Lichtenstein, of the District of Columbia, to be the Alternate Representative for Special Political Affairs in the United Nations, with the rank of Ambassador

Fred C. Ikle, of Maryland, to be Under Secretary of Defense for Policy

William H. Taft IV, of Virginia, to be General Counsel of the Department of Defense

2 Army nominations in the rank of General
1 Navy nomination in the rank of Admiral
1 Air Force nomination in the rank of General
3 Marine Corps nominations in the rank of General
6 Coast Guard nominations in the rank of Admiral
Routine lists of nominations in the Army, Navy, Air Force, Marine Corps, and Coast Guard

April 2

Philip D. Winn, of Colorado, to be an Assistant Secretary of Housing and Urban Development
Arthur E. Teele, Jr., of Florida, to be Urban Mass Transportation Administrator
Emanuel S. Savas, of New Jersey, to be an Assistant Secretary of Housing and Urban Development
Carol E. Dinkins, of Texas, to be an Assistant Attorney General
D. Lowell Jensen, of California, to be an Assistant Attorney General
Theodore B. Olsen, of California, to be an Assistant Attorney General

April 8

Seeley Lodwick, of Iowa, to be Under Secretary of Agriculture for International Affairs and Commodity Programs, and a Member of the Board of Directors of the Commodity Credit Corporation
William G. Lesher, of Virginia, to be an Assistant Secretary of Agriculture, and a Member of the Board of Directors of the Commodity Credit Corporation
C. W. McMillan, of Virginia, to be a Member of the Board of Directors of the Commodity Credit Corporation
J. Lynn Helms, of Connecticut, to be Administrator of the Federal Aviation Administration
Raymond A. Peck, Jr., of the District of Columbia, to be Administrator of the National Highway Traffic Safety Administration
Joseph R. Wright, Jr., of New York, to be Deputy Secretary of Commerce
William H. Morris, Jr., of Tennessee, to be an Assistant Secretary of Commerce
Richard T. Pratt, of Utah, to be a Member of the Federal Home Loan Bank Board
John S. R. Shad, of New York, to be a Member of the Securities and Exchange Commission

April 27

Rudolph W. Giuliani, of New York, to be Associate Attorney General
Lawrence J. Korb, of Virginia, to be Assistant Secretary of Defense
1 Army nomination in the rank of General
2 Air Force nominations in the rank of General
Routine list of Air Force nominations

May 4

Donald A. Derman, of the District of Columbia, to be an Assistant Secretary of Transportation

Sherman E. Unger, of Ohio, to be General Counsel of the Department of Commerce

Marc E. Leland, of California, to be a Deputy Under Secretary of the Treasury

Roger W. Mehle, Jr., of New York, to be an Assistant Secretary of the Treasury

Lionel H. Olmer, of Maryland, to be Under Secretary of Commerce for International Trade

Raymond J. Waldman, of Maryland, to be an Assistant Secretary of Commerce

Dorcas R. Hardy, of California, to be an Assistant Secretary of Health and Human Services

John A. Svahn, of Maryland, to be Commissioner of Social Security

Henry E. Catto, Jr., of Virginia, to be an Assistant Secretary of Defense

Russell A. Rourke, of Maryland, to be an Assistant Secretary of Defense

Edward N. Brandt, Jr., of Texas, to be an Assistant Secretary of Health and Human Services

Arlene Triplett, of Virginia, to be an Assistant Secretary of Commerce

Paul A. Vander Myde, of Virginia, to be an Assistant Secretary of Commerce

May 5

Ann McGill Gorsuch, of Colorado, to be Administrator of the Environmental Protection Agency

John W. Hernandez, Jr., of New Mexico, to be Deputy Administrator of the Environmental Protection Agency

Leonore Annenberg, of Pennsylvania, for the rank of Ambassador during her tenure of service as Chief of Protocol for the White House

John J. Louis, Jr., of Illinois, to be Ambassador to Great Britain and Northern Ireland

Arthur H. Woodruff, of Florida, to be Ambassador to the Central African Republic

John A. Burroughs, Jr., of Maryland, to be Ambassador to the Republic of Malawi

John A Gavin, of California, to be Ambassador to Mexico

Elliott Abrams, of the District of Columbia, to be an Assistant Secretary of State

Robert D. Hormats, of Maryland, to be an Assistant Secretary of State

May 6

Richard D. DeLauer, of California, to be Under Secretary of Defense for Research and Engineering

William H. Coldiron, of Montana, to be Solicitor of the Department of the Interior

Garrey E. Carruthers, of New Mexico, to be an Assistant Secretary of the Interior

Robert F. Burford, of Colorado, to be Director of the Bureau of Land Management

May 7

Thomas W. Pauken, of Texas, to be Director of the ACTION Agency

Loret M. Ruppe, of Michigan, to be Director of the Peace Corps

Nicholas A. Veliotes, of California, to be an Assistant Secretary of State

Deane R. Hinton, of Illinois, to be Ambassador to El Salvador

Donald T. Regan, of New Jersey, to be U.S. Governor of the International Monetary Fund, U.S. Governor of the International Bank for Reconstruction and Development, Governor of the Inter-American Development Bank, and U.S. Governor of the Asian Development Bank and U.S. Governor of the African Development Fund

May 8

Lawrence S. Eagleburger, of Florida, to be an Assistant Secretary of State

5 Army nominations in the rank of General

44 Navy nominations in the rank of Admiral

15 Air Force nominations in the rank of General

2 Marine Corps nominations in the rank of General

Routine lists of nominations in the Army, Navy, Air Force, and Marine Corps.

May 12

Gerald B. Carmen, of New Hampshire, to be Administrator of General Services

May 13

Kenneth L. Smith, of Oregon, to be an Assistant Secretary of the Interior

G. Ray Arnett, of California, to be Assistant Secretary for Fish and Wildlife, Department of the Interior

Willam S. Heffelfinger, of Virginia, to be an Assistant Secretary of Energy (Management and Administration)

Robert C. Odle, Jr., of Virginia, to be an Assistant Secretary of Energy (Congressional, Intergovernmental and Public Affairs)

May 14

Mark S. Fowler, of Virginia, to be a Member of the Federal Communications Commission

W. Kenneth Davis, of California, to be Deputy Secretary of Energy

Joseph J. Tribble, of Georgia, to be an Assistant Secretary of Energy (Conservation and Renewable Energy)

Rosslee G. Douglas, of South Carolina, to be Director of the Office of Minority Economic Impact

Edward E. Noble, of Oklahoma, to be Chairman of the Board of Directors of the U.S. Synthetic Fuels Corporation

May 19

John H. Holdridge, of Maryland, to be an Assistant Secretary of State

Louis O. Giuffrida, of California, to be Director of the Federal Emergency Management Agency

John M. Clark, of New York, to be a Career Member of the Senior Foreign Service, Class of Minister-Counselor

Robert G. Neumann, of California, to be Ambassador to the Kingdom of Saudi Arabia

Robert D. Nesen, of California, to be Ambassador to Australia, and to serve concurrently as Ambassador to the Republic of Nauru

Jonathan C. Rose, of Virginia, to be an Assistant Attorney General

Mary Claiborne Jarratt, of Virginia, to be an Assistant Secretary of Agriculture

A. James Barnes, of the District of Columbia, to be General Counsel of the Department of Agriculture

Frank W. Naylor, Jr., of California, to be Under Secretary of Agriculture for Small Community and Rural Development

May 20

John B. Crowell, Jr., of Oregon, to be an Assistant Secretary of Agriculture

May 21

James L. Malone, of Virginia, to be Assistant Secretary of State for Oceans and International Environmental and Scientific Affairs

Henry D. McMaster, to be U.S. Attorney for the District of South Carolina

Routine list of Air Force nominations

June 1

Pamela N. Bailey, of Virginia, to be an Assistant Secretary of Health and Human Services

Richard R. Kusserow, of Illinois, to be Inspector General, Department of Health and Human Services

David R. MacDonald, of Illinois, to be a Deputy United States Trade Representative, with the rank of Ambassador

June 2

R. Tenney Johnson, of Maryland, to be General Counsel of the Department of Energy

Alex Kozinski, of California, to be Special Counsel of the Merit Systems Protection Board

Robert J. Rubin, of Massachusetts, to be an Assistant Secretary of Health and Human Services

June 4

Kenneth A. Gilles, of North Dakota, to be Administrator of the Federal Grain Inspection Service

Philip F. Johnson, of Illinois, to be a Commissioner, and Chairman of the Commodity Futures Trading Commission

Mary Ann W. Dawson, of the District of Columbia, to be a Member of the Federal Communications Commission

Charles M. Butler, III, of Maryland, to be a Member of the Federal Energy Regulatory Commission

Georgianna H. Sheldon, of Virginia, to be a Member of the Federal Energy Regulatory Commission

Tidal W. McCoy, of Virginia, to be an Assistant Secretary of the Air Force

Joel E. Bonner, Jr., of Virginia, to be an Assistant Secretary of the Army
William R. Gianelli, of California, to be an Assistant Secretary of the Army
Harry N. Walters, of New York, to be an Assistant Secretary of the Army
4 Army nominations in the rank of General
Vice Admiral William N. Small, U.S. Navy, to be Vice Chief of Naval Operations
3 Navy nominations in the rank of Admiral
4 Air Force nominations in the rank of General
2 Marine Corps nominations in the rank of General
Routine lists of nominations in the Navy and Air Force

June 8

Charles Z. Wick, of California, to be Director of the International Communication Agency
Frederick M. Bush, of Texas, to be Assistant Secretary of Commerce for Tourism

June 9

Chester A. Crocker, of the District of Columbia, to be an Assistant Secretary of State
Fred J. Villella, of California, to be an Associate Director of the Federal Emergency Management Agency

June 10

Robert A. McConnell, of Arizona, to be an Assistant Attorney General
Francis A. Keating, II, to be U.S. Attorney for the Northern District of Oklahoma
David L. Russel, to be U.S. Attorney for the Western District of Oklahoma
Carleton S. Coon, Jr., of New Hampshire, to be Ambassador to the Kingdom of Nepal
Ronald D. Palmer, of Maryland, to be Ambassador to Malaysia
Craig A. Nalen, of Florida, to be President of the Overseas Private Investment Corporation
Richard E. Lyng, of Virginia, to be a Member of the Board of Directors of the Commodity Credit Corporation
Mary C. Jarratt, of Virginia, to be a Member of the Board of Directors of the Commodity Credit Corporation
Frank W. Naylor, Jr., of California, to be a Member of the Board of Directors of the Commodity Credit Corporation
John V. Byrne, of Oregon, to be Administrator of the National Oceanic and Atmospheric Administration
Bernard J. Wunder, Jr., of Virginia, to be Assistant Secretary of Commerce for Communications and Information
Routine list of Foreign Service nominations

June 11

Myer Rashish, of the District of Columbia, to be Under Secretary of State for Economic Affairs

J. William Middendorf II, of Virginia, to be Permanent Representative to the Organization of American States, with the rank of Ambassador

Antonio Monroig, of Puerto Rico, to be an Assistant Secretary of Housing and Urban Development

Stephen J. Bollinger, of Ohio, to be an Assistant Secretary of Housing and Urban Development

Stephen May, of New York, to be an Assistant Secretary of Housing and Urban Development

Judith L. Tardy, of Virginia, to be an Assistant Secretary of Housing and Urban Development

Lawrence J. Brady, of New Hampshire, to be an Assistant Secretary of Commerce

William A. Niskanen, Jr., of California, to be a Member of the Council of Economic Advisers

June 15

Herman E. Roser, of New Mexico, to be an Assistant Secretary of Energy (Defense Programs)

Russell D. Hale, of Virginia, to be an Assistant Secretary of the Air Force

Edward J. Philbin, of California, to be Deputy Assistant Secretary of Defense for Reserve Affairs

George A. Sawyer, of New Jersey, to be an Assistant Secretary of the Navy

William R. Gianelli, to be a Member of the Board of the Panama Canal Commission

4 Army nominations in the rank of General

2 Navy nominations in the rank of Admiral

1 Air Force nomination in the rank of General

1 Marine Corps nomination in the rank of General

Routine lists of Army and Navy nominations

June 16

Reese H. Taylor, Jr., of Nevada, to be a Member of the Interstate Commerce Commission

Donald E. Sowle, of Virginia, to be Administrator for Federal Procurement Policy

June 19

Paul R. Boucher, of Virginia, to be Inspector General, Small Business Administration

Ann D. McLaughlin, of the District of Columbia, to be an Assistant Secretary of the Treasury

Peter J. Wallison, of New York, to be General Counsel for the Department of the Treasury

Ernest H. Preeg, of Virginia, to be Ambassador to Haiti

Theodore E. Cummings, of California, to be Ambassador to Austria

Robert S. Dillon, of Virginia, to be Ambassador to the Republic of Lebanon

Charles H. Price II, of Missouri, to be Ambassador to Belgium

Maxwell M. Rabb, of New York, to be Ambassador to Italy

Vincent E. Reed, of the District of Columbia, to be Assistant Secretary for Elementary and Secondary Education, Department of Education

William C. Clohan, Jr., of West Virginia, to be Under Secretary of Education

Kent Lloyd, of California, to be Deputy Under Secretary for Management, Department of Education

Robert M. Worthington, of Utah, to be Assistant Secretary for Vocational and Adult Education, Department of Education

Alan Green, Jr., of Oregon, to be a Federal Maritime Commissioner

Daniel N. Miller, Jr., of Wyoming, to be an Assistant Secretary of the Interior

Shelby T. Brewer, of Maryland, to be an Assistant Secretary of Energy (Nuclear Energy)

J. Erich Evered, of Nevada, to be Administrator of the Energy Information Administration

Nunzio J. Palladino, of Pennsylvania, to be a Member of the Nuclear Regulatory Commission

Charles H. Dean, Jr., of Tennessee, to be a Member of the Board of Directors of the Tennessee Valley Authority

Thomas O. Enders, of Connecticut, to be an Assistant Secretary of State

2 Army nominations in the rank of General

2 Air Force nominations in the rank of General

Routine lists of Navy and Air Force nominations

June 22

Daniel J. Terra, of Illinois, to be Ambassador at Large for Cultural Affairs

Robert L. Brown, of Virginia, to be Inspector General of the Department of State and the Foreign Service

John J. Knapp, of New York, to be General Counsel of the Department of Housing and Urban Development

June 25

Lawrence F. Davenport, of California, to be an Associate Director of the ACTION Agency

James A. Belson, to be an Associate Judge of the District of Columbia Court of Appeals

Warren R. King, to be an Associate Judge of the Superior Court of the District of Columbia

Richard S. Salzman, to be an Associate Judge of the Superior Court of the District of Columbia

Reggie B. Walton, to be an Associate Judge of the Superior Court of the District of Columbia

Gerald J. Mossinghoff, of Virginia, to be Commissioner of Patents and Trademarks

Loren A. Smith, of Delaware, to be Chairman of the Administrative Conference of the United States

O. Evans Denney, of Delaware, to be U.S. Marshal for the District of Delaware

Jose S. Sorzano, of Virginia, to be Representative on the Economic and Social Council of the United Nations, with the rank of Ambassador

Charles W. Bray III, of Maryland, to be Ambassador to the Republic of Senegal

Jane A. Coon, of New Hampshire, to be Ambassador to the People's Republic of Bangladesh

Arthur F. Burns, of the District of California, to be Ambassador to the Federal Republic of Germany

James B. Conkling, of California, to be an Associate Director of the International Communication Agency

James T. Hackett, of Virginia, to be an Associate Director of the International Communication Agency

Eugene V. Rostow, of Connecticut, to be Director of the U.S. Arms Control and Disarmament Agency

James M. Beggs, of Missouri, to be Administrator of the National Aeronautics and Space Administration

Clarence Thomas, of Maryland, to be Assistant Secretary for Civil Rights, Department of Education

John H. Rodriguez, of Virginia, to be Deputy Under Secretary for Intergovernmental and Interagency Affairs, Department of Education

Dwight A. Ink, of Maryland, to be Director of the Community Services Administration

Francis J. West, of Rhode Island, to be an Assistant Secretary of Defense

5 Army nominations in the rank of General

3 Navy nominations in the rank of Admiral

4 Air Force nominations in the rank of General

Routine list of Army nominations

July 8

A. Alan Hill, of California, to be a Member of the Council on Environmental Quality

W. Ernst Minor, of Ohio, to be a Member of the Council on Environmental Quality

Hans M. Mark, of Virginia, to be Deputy Administrator of the National Aeronautics and Space Administration

Donald L. Dotson, of Pennsylvania, to be an Assistant Secretary of Labor

1 Coast Guard nomination in the rank of Admiral

Routine list of Coast Guard nominations

July 10

Richard Mulberry, of Texas, to be Inspector General, Department of the Interior

Jerry L. Jordan, of New Mexico, to be a Member of the Council of Economic Advisers

Paul H. Robinson, Jr., of Illinois, to be Ambassador to Canada

K. William O'Connor, of Virginia, to be Inspector General, Community Services Administration

Robert P. Nimmo, of California, to be Administrator of Veterans' Affairs

July 13

William H. Draper III, of California, to be President of the Export-Import Bank

Donna Pope, of Ohio, to be Director of the Mint

Warren T. Lindquist, of New York, to be a Member of the Board of Directors of the New Community Development Corporation

Carol E. Dinkins, an Assistant Attorney General, to be a Member of the Board of Directors of the National Consumer Cooperative Bank

William G. Lesher, an Assistant Secretary of Agriculture, to be a Member of the Board of Directors of the National Consumer Cooperative Bank

Roger W. Mehle, Jr., an Assistant Secretary of the Treasury, to be a Member of the Board of Directors of the National Consumer Cooperative Bank

Darrell M. Trent, Deputy Secretary of Transportation, to be a Member of the Board of Directors of the National Consumer Cooperative Bank

Philip D. Winn, an Assistant Secretary of Housing and Urban Development, to be a Member of the Board of Directors of the National Consumer Cooperative Bank

Joseph Wright, Jr., Deputy Secretary of Commerce, to be a Member of the Board of Directors of the National Consumer Cooperative Bank

Albert Angrisani, an Assistant Secretary of Labor, to be a Member of the Board of Directors of the National Consumer Cooperative Bank

July 15

Edward C. Prado, to be U.S. Attorney for the Western District of Texas

Sarah E. Barker, to be U.S. Attorney for the Southern District of Indiana

Daniel K. Hedges, of Texas, to be U.S. Attorney for the Southern District of Texas

July 17

H. Monroe Browne, of California, to be Ambassador to New Zealand, and to serve concurrently as Ambassador to Western Samoa

Parker W. Borg, of the District of Columbia, to be Ambassador to the Republic of Mali

Julius W. Walker, Jr., of Texas, to be Ambassador to the Republic of Upper Volta

Richard L. Walker, of South Carolina, to be Ambassador to the Republic of Korea

Vernon L. Walters, of Florida, to be Ambassador at Large

William L. Swing, of North Carolina, to be Ambassador to the Republic of Liberia

Richard D. Erb, of Virginia, to be U.S. Executive Director of the International Monetary Fund

Bevis Longstreth, of New York, to be a Member of the Securities and Exchange Commission

James B. Thomas, Jr., of Virginia, to be Inspector General, Department of Education

Thomas F. McBridge, of the District of Columbia, to be Inspector General of the Department of Labor

Joseph P. Welsch, of Virginia, to be Inspector General, Department of Transportation

June G. Brown, of Virginia, to be Inspector General, National Aeronautics and Space Administration

10 Army nominations in the rank of General

4 Navy nominations in the rank of Admiral

6 Air Force nominations in the rank of General

Routine lists of nominations in the Army and Navy

July 20

William W. Wilkins, Jr., to be U.S. District Judge for the District of South Carolina

July 24

Michael J. Fenello, of Florida, to be Deputy Administrator of the Federal Aviation Administration, Department of Transportation

James R. Harris, of Indiana, to be Director of the Office of Surface Mining Reclamation and Enforcement

James G. Stearns, of Nevada, to be Director of the Office of Alcohol Fuels

William H. Reynolds, of Maryland, to be an Assistant Attorney General

George A. Keyworth II, of New Mexico, to be Director of the Office of Science and Technology Policy

Dean E. Fischer, of Virginia, to be an Assistant Secretary of State

Davis R. Robinson, of the District of Columbia, to be Legal Adviser of the Department of State

Joan M. Clark, of New York, to be Director General of the Foreign Service

Robert Strausz-Hupe, of Pennsylvania, to be Ambassador to the Republic of Turkey

Monteagle Stearns, of California, to be Ambassador to Greece

John R. Countryman, of the District of Columbia, to be Ambassador to the Sultanate of Oman

David Anderson, of New York, to be Ambassador to the Socialist Federal Republic of Yugoslavia

Marshall Brement, of Arizona, to be Ambassador to Iceland

Richard N. Viets, of Vermont, to be Ambassador to the Hashemite Kingdom of Jordan

Richard T. Kennedy, of the District of Columbia, to be Representative to the International Atomic Energy Agency, with the rank of Ambassador

Gilbert A. Robinson, of New York, to be Deputy Director of the International Communication Agency

Everett Alvarez, Jr., of Maryland, to be Deputy Director of the Peace Corps

Robert W. Karpe, of California, to be President, Government National Mortgage Association

Nora W. Hussey, of South Dakota, to be Superintendent of the Mint of the United States at Denver

Clifford M. Barber, of New York, to be Superintendent of the U.S. Assay Office at New York

July 27

Edward L. Rowny, of Virginia, to be Special Representative for Arms Control and Disarmament Negotiations, with the rank of Ambassador

William C. Lee, to be U.S. District Judge for the Northern District of Indiana

Nancy H. Steorts, of Maryland, to be a Member and Chairman of the Consumer Product Safety Commission

Anthony G. Sousa, of Hawaii, to be a Member of the Federal Energy Regulatory Commission

Jan W. Mares, of Connecticut, to be an Assistant Secretary of Energy (Fossil Energy)

Alvin W. Trivelpiece, of California, to be Director of the Office of Energy Research

Robinson J. West, of Pennsylvania, to be an Assistant Secretary of the Interior

2 Army nominations in the rank of General

Routine lists of Navy and National Oceanic and Atmospheric Administration nominations

July 28

Donald J, Senese, of Virginia, to be Assistant Secretary for Educational Research and Improvement, Department of Education

George A. Conn, of Maryland, to be Commissioner of the Rehabilitation Services Administration

Anne Graham, of Virginia, to be Assistant Secretary for Legislation and Public Affairs, Department of Education

Thomas P. Melady, of Connecticut, to be Assistant Secretary of Postsecondary Education, Department of Education

Thomas L. Lias, of Iowa, to be an Assistant Director of the ACTION Agency

William E. Mayer, of California, to be Administrator of the Alcohol, Drug Abuse, and Mental Health Administration

William M. Otter, of Kentucky, to be Administrator of the Wage and Hour Division, Department of Labor

Marie P. Tolliver, of Oklahoma, to be Commissioner on Aging

July 29

Arthur W. Hummel, Jr., of Maryland, to be Ambassador to the People's Republic of China

John L. Loeb, Jr., of New York, to be Ambassador of Denmark

Keith F. Nyborg, of Idaho, to be Ambassador to Finland

Abraham Katz, of Florida, to be the Representative to the Organization for Economic Cooperation and Development, with the rank of Ambassador

Kenneth L. Adelman, of Virginia, to be the Deputy Representative to the United Nations, with the rank and status of Ambassador

William J. Dyess, of Alabama, to be Ambassador to the Kindgom of the Netherlands

Frederic L. Chapin, of New Jersey, to be Ambassador to Guatemala

Robert J. Hughes, of Massachusetts, to be an Associate Director of the International Communication Agency

Jay F. Morris, of Maryland, to be an Assistant Administrator of the Agency for International Development
W. Antoinette Ford, of Michigan, to be an Assistant Administrator of the Agency for International Development
Francis S. Ruddy, of Texas, to be an Assistant Administrator of the Agency for International Development
Jon D. Holstine, of Virginia, to be an Assistant Administrator of the Agency for International Development
Julia C. Bloch, of the District of Columbia, to be an Assistant Administrator of the Agency for International Development
Elsie R. W. du Pont, of Delaware, to be an Assistant Administrator of the Agency for International Development
Routine lists of Foreign Service nominations.

July 30

Frank S. Sato, of Virginia, to be Inspector General, Veterans' Administration
Kenneth W. Gideon, of Texas, to be an Assistant General Counsel in the Department of the Treasury (Chief Counsel for the Internal Revenue Service)
Juan A. del Real, of Maryland, to be General Counsel of the Department of Health and Human Services
Thomas R., Donnelly, Jr., of Virginia, to be an Assistant Secretary of Health and Human Services
Eugene J. Frank, of Pennsylvania, to be a Member of the U.S. International Trade Commission
Edward C. Aldridge, Jr., of Virginia, to be Under Secretary of the Air Force
Alton G. Keel, Jr,. of the District of Columbia, to be an Assistant Secretary of the Air Force
John V. Graziano, of Virginia, to be Inspector General, Department of Agriculture
30 Army nominations in the rank of General
5 Air Force nominations in the rank of General
Routine lists of Army, Navy, Air Force, and Marine nominations.

July 31

Rex E. Lee, of Utah, to be Solicitor General of the United States
Harold V. Hunter, of Oklahoma, to be Administrator of the Rural Electrification Administration
Charles Wilson Shuman, of Illinois, to be Administrator of the Farmers Home Administration
Charles L. Dempsey, of Virginia, to be Inspector General of the Department of Housing and Urban Development
Kathleen M. Bennett, of Virginia, to be an Assistant Administrator of the Environmental Protection Agency
John P. Horton, of New Jersey, to be an Assistant Administrator of the Environmental Protection Agency
Thomas M. Roberts, of the District of Columbia, to be a Member of the Nuclear Regulatory Commission
Robert G. Dederick, of Illinois, to be an Assistant Secretary of Commerce

Rear Adm. Herbert R. Lippold, Jr., NOAA, to be Director of the National Ocean Survey, National Oceanic and Atmospheric Administration

James H. Quello, of Virginia, to be a Member of the Federal Communications Commission

Henry M. Rivera, of New Mexico, to be a Member of the Federal Communications Commission

Frank S. Swain, of the District of Columbia, to be Chief Counsel for Advocacy, Small Business Adminnistration

Joseph A. Sickon, of Virginia, to be Inspector General, General Services Administration

Richard S. Cohen, to be U.S. Attorney for the District of Maine

A. Melvin McDonald, to the U.S. Attorney for the District of Arizona

R. Lawrence Steele, Jr., to be U.S. Attorney for the Northern District of Indiana

Thomas E. Dittmeier, to be U.S. Attorney for the Eastern District of Missouri

Richard A. Stacy, to be U.S. Attorney for the District of Wyoming

John C. Bell, to be U.S. Attorney for the Middle District of Alabama

J. B. Sessions, III, to be U.S. Attorney for Southern District of Alabama

Joseph J. Farnan, Jr., to be U.S. Attorney for the District of Delaware

James A. Rolfe, to be U.S. Attorney for the Northern District of Texas

Michael R. Spaan, to be U.S. Attorney for the District of Alaska

Daniel Oliver, of Connecticut, to be General Counsel, Department of Education

Robert A. Rowland, of Texas, to be a Member of the Occupational Safety and Health Review Commission

Frank H. Conway, of Massachusetts, to be a Member of the Foreign Claims Settlement Commission

Danford L. Sawyer, of Florida, to be Public Printer of the United States

August 1

John M. Walker, Jr., of New York, to be an Assistant Secretary of the Treasury

August 3

Richard N. Perle, of Maryland, to be an Assistant Secretary of Defense

September 9

Winifred A. Pizzano, of Virginia, to be Deputy Director of the ACTION Agency

September 11

Robert A. G. Monks, of Maine, to be a Member of the Board of Directors of the U.S. Synthetic Fuels Corporation

Victor M. Thompson, Jr., of Oklahoma, to be a Member of the Board of Directors of the U.S. Synthetic Fuels Corporation

C. Howard Wilkins, of Kansas, to be a Member of the Board of Directors of the U.S. Synthetic Fuels Corporation

Victor A. Schroeder, of Georgia, to be a Member of the Board of Directors of the U.S. Synthetic Fuels Corporation

September 15

Robert P. Hunter, of Virginia, to be a Member of the National Labor Relations Board

Clarence E. Hodges, of Indiana, to be an Assistant Director of the Community Services Administration

Lawrence Y. Goldberg, of Rhode Island, to be an Assistant Director of the Community Services Administration

September 16

Langhorne A. Motley, Jr., of Alaska, to be Ambassador to Brazil

Robert F. Chapman, of South Carolina, to be a U.S. Circuit Judge for the Fourth Circuit

D. Brook Bartlett, to be U.S. District Judge for the Western District of Missouri

John R. Gibson, to be U.S. District Judge for the Western District of Missouri

Joseph E. Stevens, Jr. to be U.S. District Judge for the Eastern and Western Districts of Missouri

Frank W. Donaldson, to be U.S. Attorney for the Northern District of Alabama

J. Frederick Motz, to be U.S. Attorney for the District of Maryland

W. Stephen Thayer, III, to be U.S. Attorney for the District of New Hampshire

Alfred E. Eckes, Jr., of Virginia, to be a Member of the U.S. International Trade Commission

William C. Sherman, of Virginia, to be the Deputy Representative in the Security Council of the United Nations with the rank of Ambassador

Dominick L. DiCarlo, of New York, to be Assistant Secretary of State for International Narcotics Matters

Ben J. Wattenberg, of the District of Columbia, to be a Member of the Board for International Broadcasting

September 18

Jose M. Casanova, of Florida, to be Executive Director of the Inter-American Development Bank

Guy W. Fiske, of Missouri, to be Under Secretary of Energy

William A. Vaughan, of Michigan, to be an Assistant Secretary of Energy (Environmental Protection Safety and Emergency Preparedness)

Rayburn D. Hanzlik, of California, to be Administrator of the Economic Regulatory Administration

Dallas L. Peck, of Virginia, to be Director of the Geological Survey

Robert C. Horton, of Colorado, to be Director of the Bureau of Mines

W. Kenneth Davis, of California, to be Representative to the Twenty-fifth Session of the General Conference of the International Atomic Energy Agency

Richard T. Kennedy, of the District of Columbia, to be an Alternate Representative to the Twenty-fifth Session of the General Conference of the International Atomic Energy Agency

Roger Kirk, of the District of Columbia, to be an Alternate Representative to the Twenty-fifth Session of the General Conference of the International Atomic Energy Agency

Thomas M. Roberts, of Tennessee, to be an Alternate Representative to the Twenty-fifth Session of the General Conference of the International Atomic Energy Agency

8 Army nominations in the rank of General

6 Navy nominations in the rank of Admiral

1 Air Force nomination in the rank of General

1 Air Force nomination in the rank of Colonel

September 21

Sandra D. O'Connor, of Arizona, to be an Associate Justice of the Supreme Court

James C. Miller, III, of the District of Columbia, to be a Federal Trade Commissioner

James R. Richard, of Virginia, to be Inspector General of the Department of Energy

September 25

Roger J. Miner, to be U.S. District Judge for the Northern District of New York

Joseph M. McLaughlin, to be U.S. District Judge for the Eastern District of New York

John E. Sprizzo, to be U.S. District Judge for the Southern District of New York

Henry R. Wilhoit, Jr., to be U.S. District Judge for the Eastern District of Kentucky

Conrad K. Cyr, to be U.S. District Judge for the District of Maine

John C. Coughenour, to be U.S. District Judge for the Western District of Washington

J. Paul McGrath, of New Jersey, to be an Assistant Attorney General

David E. Zweifel, of Maryland, to be Ambassador to the Yemen Arab Republic

Jack F. Matlock, Jr., of Florida, to be Ambassador to the Czechoslovak Socialist Republic

Robert P. Paganelli, of New York, to be Ambassador to the Syrian Arab Republic

George S. Vest, of Maryland, to be the Representative to the European Communities, with the rank and status of Ambassador

John E. Dolibois, of Ohio, to be Ambassador to Luxembourg

Raymond C. Ewing, of Virginia, to be Ambassador to the Republic of Cyprus

Michael H. Newlin, of Maryland, to be Ambassador to the Democratic and Popular Republic of Algeria

Arthur A. Hartman, of New Jersey, to be Ambassador to the Union of Soviet Socialist Republics

Faith R. Whittlesey, of Pennsylvania, to be Ambassador to Switzerland

Richard W. Murphy, of Maryland, to be Ambassador to the Kingdom of Saudi Arabia

Joseph V. Reed, Jr., of Connecticut, to be Ambassador to the Kingdom of Morocco

L. Keith Bulen, of Indiana, to be a Commissioner on the International Joint Commission, U.S. and Canada

Paul J. Manafort, Jr., of Virginia, to be a Member of the Board of Directors of the Overseas Private Investment Corporation

Nyle C. Brady, of New York, to be an Assistant Administrator of the Agency for International Development

John A. Bohn, Jr., of California, to be Director of the Asian Development Bank

Thomas K. Turnage, of California, to be Director of the Selective Service System

James F. Goodrich, of Maine, to be Under Secretary of the Navy

John S. Herrington, of California, to be an Assistant Secretary of the Navy

2 Army nominations in the rank of General

1 Air Force nomination in the rank of General

39 Air Force nominations in the rank of General

Routine lists of Navy and Foreign Service nominations

September 29

Charles A. Bowsher, of Maryland, to be Comptroller General of the U.S.

Anthony H. Murray, Jr., of Pennsylvania, to be Superintendent of the Mint of the United States at Philadelphia

Elizabeth Jones, of New Jersey, to be Engraver in the Mint of the United States at Philadelphia

Luis V. Hurtado, of California, to be Assayer of the Mint of the United States at Denver

Sherman M. Funk, of Maryland, to be Inspector General, Department of Commerce

Bruce Chapman, of Washington, to be Director of the Census

Charles M. Girard, of Virginia, to be an Associate Director of the Federal Emergency Management Agency

Loretta Cornelius, of Virginia, to be Deputy Director of the Office of Personnel Management

Malcolm R. Lovell, Jr., of the District of Columbia, to be Under Secretary of Labor

Routine list of Navy nominations

September 30

Ronald I. Spiers, of Vermont, to be Ambassador to the Islamic Republic of Pakistan

John G. Dean, of New York, to be Ambassador to Thailand

Harry G. Barnes, Jr., of Maryland, to be Ambassador to India

M. Virginia Schafer, of Washington, to be Ambassador to Papua, New Guinea, and to serve concurrently as Ambassador to the Solomon Islands

Frank V. Ortiz, Jr., of New Mexico, to be Ambassador to Peru

Thomas Aranda, Jr., of Arizona, to be Ambassador to Uruguay

John A. Bohn, Jr., of California, for the rank of Ambassador while serving as U.S. Director of the Asian Development Bank

Donald L. Totten, of Illinois, to be Commissioner on the International Joint Commission, U.S. and Canada

Samuel J. Cornelius, of the District of Columbia, to be Deputy Director of the Community Services Administration

October 1

Donald B. Funderburk, of North Carolina, to be Ambassador to the Socialist Republic of Romania

Henry E. Thomas IV, of Virginia, to be an Assistant Secretary of Energy (International Affairs)

John E. Lamp, to be U.S. Attorney for the Eastern District of Washington

Glen H. Davidson, to be U.S. Attorney for the Northern District of Mississippi

George L. Phillips, to be U.S. Attorney for the Southern District of Mississippi

Emery R. Jordan, to be U.S. Marshal for the District of Maine

Cameron M. Batjer, of Nevada, to be a Commissioner of the U.S. Parole Commission

J. Raymond Bell, of the District of Columbia, to be Chairman of the Foreign Claims Settlement Commission

October 6

Lee M. Thomas, of South Carolina, to be an Associate Director of the Federal Emergency Management Agency

Gary L. Jones, of Virginia, to be Deputy Under Secretary for Planning and Budget, Department of Education

Edward A. Curran, of Maryland, to be Director of the National Institute of Education

October 7

John A. Smietanka, to be U.S. Attorney for the Western District of Michigan

Kenneth W. McAllister, to be U.S. Attorney for the Middle District of North Carolina

Samuel T. Currin, to be U.S. Attorney for the Eastern District of North Carolina

Rodney S. Webb, to be U.S. Attorney for the District of North Dakota

George W. F. Cook, to be U.S. Attorney for the District of Vermont

Leonard R. Gilman, to be U.S. Attorney for the Eastern District of Michigan

Thomas C. Greene, to be U.S. Marshal for the Northern District of Alabama

Melvin E. Jones, to be U.S. Marshal for the Middle District of Alabama

Lynn H. Duncan, to be U.S. Marshal for the Northern District of Georgia

Ralph D. Morgan, to be U.S. Marshal for the Southern District of Indiana

Harold E. Shear, of Connecticut, to be Administrator of the Maritime Administration

James J. Carey, of Illinois, to be a Federal Maritime Commissioner

James R. Ambrose, of North Carolina, to be Under Secretary of the Army
Jay R. Sculley, of Virginia, to be an Assistant Secretary of the Army
20 Navy nominations in the rank of Admiral
1 Air Force nomination in the rank of General
Routine lists of nominations in the Navy, Air Force, Marine Corps, and Coast Guard

October 14

Matthew N. Novick, of the District of Columbia, to be Inspector General, Environmental Protection Agency

October 16

Richard A. Staar, of California, for the rank of Ambassador during his tenure of service as Representative for Mutual and Balanced Force Reductions Negotiations

October 20

Stanford O. Bardwell, Jr., to be U.S. Attorney for the Middle District of Louisiana

October 21

William L. Garwood, of Texas, to be U.S. Circuit Judge for the Fifth Circuit
Hayden W. Head, Jr., to be U.S. District Judge for the Southern District of Texas
James R. Nowlin, to be U.S. District Judge for the Western District of Texas
H. Franklin Waters, to be U.S. District Judge for the Western District of Arkansas
Joe D. Whitley, to be U.S. Attorney for the Middle District of Georgia
Dan K. Webb, to be U.S. Attorney for the Northern District of Illinois
Ronald E. Meredith, to be U.S. Attorney for the Western District of Kentucky
P. A. Mangini, to be U.S. Marshal for the District of Connecticut
Robert W. Foster, to be U.S. Marshal for the Southern District of Ohio
Ralph L. Boling, to be U.S. Marshal for the Western District of Kentucky
Donald J. Quigg, of Oklahoma, to be Deputy Commissioner of Patents and Trademarks
Edgar F. Callahan, of Illinois, to be a Member of the National Credit Union Administration Board
Thomas R. Pickering, of New Jersey, to be Ambassador to the Federal Republic of Nigeria
Alan M. Hardy, of Virginia, to be Ambassador to the Republic of Equatorial Guinea
David C. Miller, Jr., of Maryland, to be Ambassador to the United Republic of Tanzania
Routine list of nominations in the Public Health Service

October 26

John F. Cogan, of California, to be an Assistant Secretary of Labor

Lenora Cole-Alexander, of the District of Columbia, to be Director of the Women's Bureau, Department of Labor

Rosemary M. Collyer, of Colorado, to be a Member of the Federal Mine Safety and Health Review Commission

Ford B. Ford, of California, to be Assistant Secretary of Labor for Mine Safety and Health

Jean Tufts, of New Hampshire, to be Assistant Secretary for Special Education and Rehabilitative Services, Department of Education

Clinton D. McKinnon, of California, to be a Member of the Civil Aeronautics Board

October 27

Everett G. Rank, Jr., of California, to be a Member of the Board of Directors of the Commodity Credit Corporation

Susan M. Phillips, of Iowa, to be a Commissioner of the Commodity Futures Trading Commission

October 29

Richard J. Cardamone, of New York, to be U.S. Circuit Judge for the Second Circuit

Paul A. Magnuson, to be U.S. District Judge for the District of Minnesota

Robert D. Potter, to be U.S. District Judge for the Western District of North Carolina

Guy G. Hurlbutt, to be U.S. Attorney for the District of Idaho

William H. Ewing, Jr., to be U.S. Attorney for the Western District of Tennessee

Laurence C. Beard, to be U.S. Marshal for the Eastern District of Oklahoma

Donald E. Santarelli, of Virginia, to be a Member of the Board of Directors of the Overseas Private Investment Corporation

Tom C. Korologos, of Virginia, to be a Member of the U.S. Advisory Commission on Public Diplomacy

John D. Negroponte, of New York, to be Ambassador to Honduras

Robert C. McEwan, of New York, to be a Commissioner on the International Joint Commission, United States and Canada

Routine lists of Foreign Service nominations

November 2

Michael J. Connally, of Michigan, to be General Counsel of the Equal Employment Opportunity Commission

November 3

Sonia Landau, of New York, to be a Member of the Corporation for Public Broadcasting

R. Kenneth Towery, of Texas, to be a Member of the Corporation for Public Broadcasting

November 4

John A. Todhunter, of Maryland, to be Assistant Administrator for Toxic Substances of the Environmental Protection Agency

Carlos C. Campbell, of Virginia, to be an Assistant Secretary of Commerce

Robert A. Jantzen, of Arizona, to be Director of the U.S. Fish and Wildlife Service

November 6

Geoffrey Swaebe, of California, to be the Representative to the European Office of the United Nations, with the rank of Ambassador

Jean B. S. Gerard, of New York, for the rank of Ambassador during tenure of her service as Permanent Representative to the United Nations Educational, Scientific, and Cultural Organization

Evan G. Galbraith, of Connecticut, to be Ambassador to France

Robert L. Barry, of New Hampshire, to be Ambassador to Bulgaria

L. Ebersole Gaines, of Idaho, to be Executive Vice President of the Overseas Private Investment Corporation

1 Army nomination in the rank of General

263 Air Force nominations in the rank of General

Routine lists of Navy, Air Force, and Marine Corps nominations

November 10

Francis S. M. Hodsoll, of Virginia, to be Chairman of the National Endowment for the Arts

William H. Kennedy, to be U.S. Attorney for the Southern District of California

Donald D. Lahners, to be U.S. Attorney for the District of Nebraska

Gerald D. Fines, to be U.S. Attorney for the Central District of Illinois

W. Hunt Dumont, to be U.S. Attorney for the District of New Jersey

Charles R. Brewer, to be U.S. Attorney for the Western District of North Carolina

Lincoln C. Almond, to be U.S. Attorney for the District of Rhode Island

John P. Alderman, to be U.S. Attorney for the Western District of Virginia

Elsie L. Munsell, to be U.S. Attorney for the Eastern District of Virginia

Charles Pennington, Jr., to be U.S. Marshal for the Eastern District of Kentucky

Kernan H. Bagley, to be U.S. Marshal for the District of Oregon

Blaine Skinner, to be U.S. Marshal for the District of Idaho

Delaine Roberts, to be U.S. Marshal for the District of Wyoming

Joseph W. Brown, of Nevada, to be a Member of the Foreign Claims Settlement Commission of the United States

November 13

Jeffrey S. Bragg, of Ohio, to be Federal Insurance Administrator, Federal Emergency Management Agency

November 16

C. Everett Koop, of Pennsylvania, to be Medical Director in the Regular Corps of the Public Health Service and to be Surgeon General of the Public Health Service

Kenneth L. Adelman, of Virginia, to be a Representative to the 36th Session of the General Assembly of the United Nations

John S. Cooper, of Kentucky, to be a Representative to the 36th Session of the General Assembly of the United Nations

Benjamin A. Gilman, of New York, to be a Representative to the 36th Session of the General Assembly of the United Nations

Andy Ireland, of Florida, to be a Representative to the 36th Session of the General Assembly of the United Nations

Jeane J. Kirkpatrick, of Maryland, to be a Representative to the 36th Session of the General Assembly of the United Nations

Bruce F. Caputo, of New York, to be an Alternate Representative to the 36th Session of the General Assembly of the United Nations

George Christopher, of California, to be an Alternate Representative to the 36th Session of the General Assembly of the United Nations

Charles M. Lichtenstein, of the District of Columbia, to be an Alternate Representative to the 36th Session of the General Assembly of the United Nations

William C. Sherman, of Virginia, to be an Alternate Representative to the 36th Session of the General Assembly of the United Nations

Jose S. Sorzano, of Virginia, to be an Alternate Representative to the 36th Session of the General Assembly of the United Nations

November 18

Lawrence W. Pierce, of New York, to be U.S. Circuit Judge for the Second Circuit

Emmett R. Cox, to be U.S. District Judge for the Southern District of Alabama

Cynthia H. Hall, to be U.S. District Judge for the Central District of California

Clarence A. Beam, to be U.S. District Judge for the District of Nebraska

John B. Jones, to be U.S. District Judge for the District of South Dakota

Robert J. Wortham, to be U.S. Attorney for the Eastern District of Texas

Alan H. Nevas, to be U.S. Attorney for the District of Connecticut

John W. Gill, Jr., to be U.S. Attorney for the Eastern District of Tennessee

Joseph R. Russoniello, to be U.S. Attorney for the Northern District of California

Philip N. Hogen, to be U.S. Attorney for the District of South Dakota

J. Jerome Perkins, to be U.S. Marshal for the Northern District of Indiana

Denny L. Sampson, to be U.S. Marshal for the District of Nevada

November 20

Milan D. Bish, of Nebraska, to be Ambassador to Barbados, and to serve concurrently as Ambassador to Saint Lucia and Ambassador to Saint Vincent and the Grenadines
Elliott Abrams, of the District of Columbia, to be Assistant Secretary of State for Human Rights and Humanitarian Affairs

November 23

Edwin G. Corr, of Oklahoma, to be Ambassador to Bolivia
Melvin H. Evans, of the Virgin Islands, to be Ambassador to Trinidad and Tobago
Melvyn R. Paisley, of Washington, to be an Assistant Secretary of the Navy
Brig. General Homer Johnstone, Jr., of the Corps of Enginers, to be a Member of the California Debris Commisson
Col. Paul Brazilwich, Jr., of the Corps of Engineers, to be a Member of the California Debris Commission
Paul F. Kavanaugh, of the Corps of Engineers, to be a Member of the California Debris Commission
Major General Hugh G. Robinson, U.S. Army, to be a Member of the Mississippi River Commission
Brig. General Richard S. Kem, U.S. Army, to be a Member of the Mississippi River Commission
Rickey D. James, of Missouri, to be a Member of the Mississippi River Commission
1 Army nomination in the rank of General
Routine lists of Navy and Air Force nominations

November 24

James E. Eschbach, of Indiana, to be U.S. Circuit Judge for the Seventh Circuit.
James C. Cacheris, to be U.S. District Judge for the Eastern District of Virginia
Richard A. Posner, of Illinois, to be U.S. Circuit Judge for the Seventh Circuit
John H. Moore II, to be U.S. District Judge for the Middle District of Florida
David V. O'Brien, to be U.S. District Judge for the District of the Virgin Islands
Clyde H. Hamilton, to be U.S. District Judge for the District of South Carolina
Jim J. Marquez, to be U.S. Attorney for the District of Kansas
Robert N. Miller, to be U.S. Attorney for the District of Colorado
James M. Rosenbaum, to be U.S. Attorney for the District of Minnesota.
Ronald D. Daniels, Jr., to be U.S. Marshal for the District of New Hampshire

December 3

Edward R. Becker, of Pennsylvania, to be U.S. Circuit Judge for the Third Circuit
Jackson L. Kiser, to be U.S. District Judge for the Western District of Virginia

Robert G. Doumar, to be U.S. District Judge for the Eastern District of Virginia

Brent D. Ward, to be U.S. Attorney for the District of Utah

Joseph P. Stadtmueller, to be U.S. Attorney for the Eastern District of Wisconsin

Donald B. Ayer, to be U.S. Attorney for the Eastern District of California

Louis G. DeFalaise, to be U.S. Attorney for the Eastern District of Kentucky

Willaim S. Vaughn, to be U.S. Marshal for the Eastern District of Missouri

Howard V. Adair, to be U.S. Marshal for the Southern District of Alabama

James L. Meyers, to be U.S. Marshal for the Middle District of Louisiana

Paul R. Nolan, to be U.S. Marshal for the Eastern District of Washington

Harry Connolly, to be U.S. Marshal for the Northern District of Oklahoma

Vernon R. Wiggins, of Alaska, to be Federal Co-Chairman of the Alaska Land Use Council

Pedro A. Sanjuan, of the District of Columbia, to be an Assistant Secretary of the Interior

Janet J. McCoy, of Oregon, to be High Commissioner of the Trust Territory of the Pacific Islands

Jules G. Korner III, of Maryland, to be a Judge of the U.S. Tax Court

Perry Shields, of Tennessee, to be a Judge of the U.S. Tax Court

Mease Whitaker, of Michigan, to be a Judge of the U.S. Tax Court

December 7

Charles T. Hagel, of the District of Columbia, to be Deputy Administrator of Veterans Affairs

December 9

Ralph Ball, of Kansas, to be a Member of the Federal Farm Credit Board, Farm Credit Administration

W. Proctor Scarboro, of North Carolina, to be a Member of the Federal Farm Credit Board, Farm Credit Administration

Ralph K. Winter, Jr., of Connecticut, to be U.S. Circuit Judge for the Second Circuit

John C. Shabaz, to be U.S. District Judge for the Western District of Wisconsin

Alvin I. Krenzler, to be U.S. District Judge for the Northern District of Ohio

Israel L. Glasser, to be U.S. District Judge for the Eastern District of New York

J. Owen Forrester, to be U.S. District Judge for the Northern District of Georgia

Sam A. Crow, to be U.S. District Judge for the District of Kansas

John R. Byrnes, to be U.S. Attorney for the Western District of Wisconsin

Hinton R. Pierce, to be U.S. Attorney for the Southern District of Georgia

Robert G. Ulrich, to be U.S. Attorney for the Western District of Missouri

Byron H. Dunbar, to be U.S. Attorney for the District of Montana

Joe B. Brown, to be U.S. Attorney for the Middle District of Tennessee

Christopher K. Barnes, to be U.S. Attorney for the Southern District of Ohio

Joseph S. Cage, Jr., to be U.S. Attorney for the Western District of Louisiana

Gene S. Anderson, to be U.S. Attorney for the Western District of Washington

David A. Faber, to be U.S. Attorney for the Southern District of West Virginia

Frederick N. Falk, to be U.S. Marshal for the Western District of Wisconsin

John W. Roberts, to be U.S. Marshal for the District of Arizona

Warren D. Stump, to be U.S. Marshal for the Southern District of Iowa

Kenneth L. Pekarek, to be U.S. Marshal for the District of Kansas

Robert L. Pavlak, Sr., to be U.S. Marshal for the District of Minnesota

Lee Koury, to be U.S. Marshal for the Western District of Missouri

Kenneth B. Muir, to be U.S. Marshal for the District of North Dakota

John R. Kendall, to be U.S. Marshal for the Western District of Michigan

James P. Jonker, to be U.S. Marshal for the Northern District of Iowa

Wallace L. McLendon, to be U.S. Marshal for the Northern District of Florida

William I. Berryhill, Jr., to be U.S. Marshal for the Eastern District of North Carolina

Wayne D. Beaman, to be U.S. Marshal for the Western District of Virginia

William C. Plowden, Jr., of South Carolina, to be Assistant Secretary of Labor for Veterans' Employment

December 10

Ronald P. Wertheim, to be an Associate Judge of the Superior Court of the District of Columbia

Lilla B. C. Tower, of Texas, to be Director of the Institute for Museum Services

Milan D. Bish, of Nebraska, to serve concurrently as Ambassador to the Commonwealth of Dominica and to Antigua and Barbuda

Kenneth L. Brown, of California, to be Ambassador to the People's Republic of the Congo

Franklin S. Forsberg, of Connecticut, to be Ambassador to Sweden

John H. Reed, of Maine, to be Ambassador to the Democratic Socialist Republic of Sri Lanka, and to serve concurrently as Ambassador to the Republic of Maldives

Alfred L. Atherton, Jr., of Maryland, for the personal rank of Career Ambassador in recognition of especially distinguished service

Arthur W. Hummel, Jr., of Maryland, for the personal rank of Career Ambassador in recognition of especially distinguished service
Walter J. Stoessel, Jr., of the District of Columbia, for the personal rank of Career Ambassador in recognition of especially distinguished service
Gerald E. Thomas, of California, to be Ambassador to the Cooperative Republic of Guyana
Mark E. Austad, of Arizona, to be Ambassador to Norway
Walter L. Cutler, of Maryland, to be Ambassador to the Republic of Tunisia
Francis T. McNamara, of Vermont, to be Ambassador to the Gabonese Republic, and to serve concurrently as Ambassador to the Democratic Republic of Sao Tome and Principe
Carlos Salman, of Florida, to be a Member of the Board of Directors of the International Development Cooperation Agency
Frank Shakespeare of Connecticut, to be a Member of the Board for International Broadcasting
Thomas O. Enders, of Connecticut, to be a Member of the Board of Directors of the Inter-American Foundation
M. Peter McPherson, of Maryland, to be a Member of the Board of Directors of the Inter-American Foundation
Routine lists of Foreign Service nominations

December 14

C. T. Conover, of California, to be Comptroller of the Currency
James E. Burnett, Jr., of Arkansas, to be a Member of the National Transportation Safety Board
Robert M. Garrick, of California, to be a Member of the Board of Directors of the Communications Satellite Corporation
Bobby Jack Thompson, of New York, to be Administrator of the United States Fire Administration
Myer Rashish, of the District of Columbia, to be Alternate Governor of the International Bank for Reconstruction and Development, of the Inter-American Development Bank, of the Asian Development Bank, and of the African Development Fund
Clarence E. Hodges, of Maryland, to be Chief of the Children's Bureau, Department of Health and Human Services
354 Army nominations in the rank of General
86 Navy nominations in the rank of Admiral
56 Air Force nominations in the rank of General
Routine lists of nominations in the Army, Navy, and Air Force

December 16

David L. Russell, to be U.S. District Judge for the Northern, Eastern and Western Districts of Oklahoma
Harold L. Ryan, to be U.S. District Judge for the District of Idaho
Benjamin F. Baer, of California, to be a Commissioner of the U.S. Parole Commission
Glenn L. Archer, Jr., of Virginia, to be an Assistant Attorney General
Stanley S. Harris, to be U.S. Attorney for the District of Columbia
Richard C. Turner, to be U.S. Attorney for the Southern District of Iowa

Donald W. Wyatt, to be U.S. Marshal for the District of Rhode Island

Bruce R. Montgomery, to be U.S. Marshal for the Eastern District of Tennessee

Robert T. Keating, to be U.S. Marshal for the Eastern District of Wisconsin

Kalo A. Hineman, of Kansas, to be a Commissioner of the Commodity Futures Trading Commission

Peter McCoy, of California, to be Under Secretary of Commerce for Travel and Tourism

Anthony J. Calio, of Maryland, to be Deputy Administrator of the National Oceanic and Atmospheric Administration

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